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TRANSCRIPT OF RECORD.

SUPREME COURT OF THE UNITED STATES.

No. 350. 151

THE UNITED STATES OF AMERICA, PLAINTIFFS IN ERROR,

vs.

ADDISON R. GILLMORE, ENOS LOWE AND GILBERT C. MONELL, IMPLEADED WITH JESSE WILLIAMS AND FRANCIS R. WEST.

IN ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE DISTRICT OF NEBRASKA.

FILED DECEMBER 7, 1867.

SUPREME COURT OF THE UNITED STATES.

No. 300.

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vs.

ADDISON R. GILLMORE, ENOS LOWE AND GILBERT C. MONELL, IMPLEADED WITH JESSE WILLIAMS AND FRANCIS R. WEST.

IN ERROR TO THE CIRCUIT COURT OF THE UNITED STATES FOR THE DISTRICT OF NEBRASKA.

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1 Be it remembered, that on the 15th day of August, A. D. 1864, was filed in the office of the clerk of the United States District Court, within and for the 1st judicial district in the Territory of Nebraska, a certain petition, clothed in the words and figures to wit:

District of the United States for the first judicial district of the territory of the United States.

Declaration.

THE UNITED STATES OF AMERICA, plaintiff,
vs.
ADDISON R. GILMORE, JESSE WILLIAMS, FRANCIS R. WEST, ENOS LOWE, and GILBERT C. MONELL, defendants.

The United States of America, plaintiff, complains of Addison R. Gilmore, Jesse Williams, Francis R. West, Enos Lowe, and Gilbert C. Monell, defendants, for that heretofore, to wit, on the fifth day of December, A. D. one thousand eight hundred and fifty-seven, at the city of Omaha, in the Territory of Nebraska, the said defendants made their certain writing obligatory of that date, sealed with their seals, a copy of which said writing obligatory is hereto annexed, marked A, and an authenticated copy of which said writing obligatory the plain-
2 tiff here brings into court, the date whereof is the day and year aforesaid, and then and there delivered the said writing obligatory to said plaintiff, and thereby acknowledged themselves to be held and bound unto the United States of America in the full and just sum of two hundred thousand dollars lawful money, to be paid to the United States, for which payment well and truly to be made, they jointly and severally bound themselves, their heirs, executors, and administrators, and each of them, firmly by the said writing obligatory; which said writing obligatory was and is subject to a certain condition thereunder written, in words and figures following, to wit:

"The condition of the foregoing obligation is such, that, whereas, the President of the United States hath, pursuant to law, appointed the said Addison R. Gilmore to be receiver of public moneys for the district of lands subject to sale in the Territory of Nebraska, and due form of law caused to be issued to him, as such a commissioner, bearing date the seventh day of March, Anno Domini one thousand eight hundred and fifty-five: Now, therefore, if the said Addison R. Gilmore has truly and faithfully executed and discharged all the duties of said office, and shall truly and faithfully continue to
3 execute and discharge all duties of said office, according to the laws of the United States, and moreover, has well, truly, and faithfully kept, and shall well, and truly, and faithfully keep safely, without loaning, using, depositing in banks, or exchanging for other funds than is allowed by the act of Congress, hereinafter specially referred to and described, all the public moneys collected by him, or otherwise at any time placed in his possession and custody, until the same has been or shall be ordered by the proper department or

officer of the government to be transferred or paid out; and when such orders for transfer or payment have been made, or shall be received, has faithfully and promptly made, and shall faithfully and promptly make, the same as directed, and has done and shall do and perform all other duties, as fiscal agent of the goverment, which have or may be imposed by any act of Congress, or by any regulation of the Treasury Department, made in conformity to law; and also has done and performed, and shall do and perform, all acts and duties required by law, or by the direction of any of the executive departments of the government, as agent for paying pensions, or for making any other disbursements which either of the heads of those departments may be required by law to make, and which are of a
4 character to be made by a depository constituted by an act of Congress, entitled "An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved August 6th, 1846, consistently with the other official duties imposed upon him, then this obligation to be void, and of none effect, otherwise, it shall abide and remain in full force and virtue."

And the said plaintiff saith, the said writing obligatory was then and there, to wit, on the twenty-fifth day of January, A. D. one thousand eight hundred and fifty-eight, at the city of Washington, in the District of Columbia, by the proper officer of United States, to wit, Junius Hillyer, solicitor of the Treasury of the United States, was certified that the sum named in, and the surities to the said writing obligatory seemed reasonable and safe to him, and were to his satisfaction; and the plaintiff saith that the said Addison R. Gilmore did, under the said appointment, to wit, on the seventh day of March, A. D. one thousand eight hundred fifty-five, take upon himself the duties of the office of receiver of public moneys for the district of lands subject to sale in the Territory of Nebraska, and assumed to be and did
5 act as such receiver of public moneys, in and for the said district of lands subject to sale in the Territory of Nebraska, at the time of the committing of the wrongs and failures and delinquencies hereinafter stated. And the plaintiff saith and avereth, that within the time the said Addison R. Gilmore acted as, and in fact was, receiver of public moneys, under and by virtue of his said appointment, he, the said Addison R. Gilmore, receiver of public moneys, as aforesaid, had and received divers large sums of money for the use and benefit of the United States, the plaintiff; and the plaintiff saith, that afterwards, to wit, on the twentieth day of February, A. D. one thousand eight hundred sixty-four, the accounts of the said Addison R. Gilmore, receiver of public moneys, as aforesaid, were admitted and certified by the propef officer of the government of the United States, to wit, by R. W. Taylor, of the Treasury of the United States; and that upon said adjustment and admission, a large balance, to wit, the sum of nine thousand two hundred and ten dollars and fifty cents was found to be due, to wit, on the nineteenth day of March, A. D. one thousand eight hundred and fifty-nine, from the said Addison R. Gilmore, receiver of public moneys, as aforesaid, to the plaintiff; and

6 the plaintiff saith that the said balance, to wit, the sum of nine thousand two hundred and ten dollars and fifty cents, remains unpaid by said defendants, and that the same is justly due and owing by the said defendants to said plaintiff, together with interest thereon, from the nineteenth day of March, A. D. one thousand eight hundred fifty-nine, by means of which said premises the plaintiff hath sustained damages to a large amount, to wit, to the amount of the sum of money last aforementioned, and the interest thereon; and by reason of which said breach, the writing obligatory became forfeited, and thereby an action hath accrued to the plaintiff to demand and have of and from the said defendants the said sum of nine thousand two hundred and ten dollars and fifty cents, and the interest thereon. And the plaintiff saith, that the said Addison R. Gilmore, Jesse Williams, Francis B. West, Enos Lowe, and Gilbert C. Monell, defendants, although often so requested so to do, have not paid, nor hath either of them paid, to the plaintiff the said sum of money found due to the plaintiff, as aforesaid, or any part thereof, or any interest or penalty accruing thereon, but so to do have, and each of them hath, hitherto wholly neglected and refused.

7 And the plaintiff furth saith and avers, that the said Addison R. Gilmore, receiver of public moneys as aforesaid, did not truly and faithfully execute and discharge all the duties of said office of receiver of public moneys, as aforesaid, according to law and the condition of said writing obligatory aforesaid, and did not well and truly and faithfully keep safely without loaning, using, depositing in banks, and exchanging for other funds than allowed by the act of Congress, all the public moneys collected by him and placed in his possession and custody, till the same was ordered by the proper department or officer of the government to be transferred or paid out, and when such orders for transfer or payments were made, did not faithfully and promptly make the same as directed, and did not do and perform all other duties as fiscal agent of the government, and did not do and perform all acts and duties required by law, or by the direction of any of the executive departments of the government, as agent for paying pensions or for making other disbursements which either of the heads of those departments were required by law to make of a character to be made by a depository constituted by the act of Congress, entitled "An act to provide for the better organization of the Treasury for the collec-

8 tion, safe-keeping, transfer and disbursement of the public moneys," approved August 6, 1846, to wit, in this particular, that within the time the said Addison R. Gilmore acted as, and in fact was, receiver of public moneys under and by virtue of said appointment aforesaid, he, the said Addison R. Gilmore, receiver of public moneys as aforesaid, received divers large sums of money for the use and benefit of the United States of America, the plaintiff; yet the said Addison R. Gilmore, receiver of public moneys as aforesaid, has not truly and faithfully kept safely, without loaning, using, and depositing in banks, and has not truly and faithfully accounted for and paid to the United States of America, the plaintiff, all said

public moneys collected by him, and which were placed in his possession and custody according to law and the condition of the said writing obligatory, in this: That of the said public moneys so received by the said Addison R. Gilmore, receiver of public moneys as aforesaid, there remains in his hands unaccounted for and unpaid by him the sum of nine thousand two hundred and ten dollars and forty cents, by means of which said premises the plaintiff hath sustained damages to a large amount, to wit, to the amount of the sum of nine thousand two hundred and ten dollars and forty cents, and the
9 interest accruing thereon from the nineteenth day of March, A. D. one thousand eight hundred and fifty-nine, and by reason of which breaches the said writing obligatory became forfeited, and thereby an action hath accrued to the plaintiff to demand and have of and from the said defendants the said sum of nine thousand two hundred and ten dollars and forty cents and the interest thereon. And the plaintiff saith that the said Addison R. Gilmore, Jesse Williams, Francis R. West, Enos Lowe, and Gilbert C. Monell, defendants, although often requested so to do, have not paid, nor hath either of them paid to the plaintiff the said sum of money found to be due to the plaintiff, as aforesaid, or any part thereof, or any interest or penalty accruing thereon, but so to do they have, and each of them hath, hitherto wholly neglected and refused. And the plaintiff saith that the sum of nine thousand two hundred and ten dollars and forty cents and interest thereon from the nineteenth day of March, A. D. one thousand eight hundred and fifty-nine, is now justly due from said defendants to the plaintiff.

And therefore the plaintiff brings suit, and asks judgment against the said Addison R. Gilmore, Jessie Williams, Francis R. West, Enos Lowe, and Gilbert C. Monell, defendants, for the said sum of nine thousand two hundred and ten dollars and forty cents,
10 and interest thereon from the nineteenth day of March, A. D. one thousand eight hundred and fifty-nine, and for costs of suit.

DANIEL GANTT,
United States District Attorney for the Territory of Nebraska.

Exhibit A.

Know all men by these presents, that we, Addison R. Gilmore, Jessie Williams, Francis R. West, Emos Lowe, and Gilbert C. Monell, are held and firmly bound unto the United States of America, in the full and just sum of two hundred thousand dollars, lawful money, to be paid to the said United States, for which payment, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators, and each of them, firmly by these presents. Signed with our hands, and sealed with our seals, and dated this fifth day of December, in the year of our Lord, one thousand eight hundred and fifty-seven.

The condition of the foregoing obligation is such, that whereas, the President of the United States hath, pursuant to law, appointed

the said Addison R. Gilmore to be receiver of public moneys for the district of lands subject to sale in the Territory of Nebraska, and in due form of law caused to be issued to him as such a com-
11 mission, bearing date the seventh day of March, Anno Domini one thousand eight hundred and fifty-five. Now, therefore, if the Addison Gilmore has truly and faithfully executed and discharged, and shall truly and faithfully continue to execute and discharge, all the duties of said office, according to the laws of the United States, and moreover, has well, truly and faithfully kept, and shall well, truly and faithfully keep safely, without loaning, using, depositing in banks, or exchanging for other funds than as allowed by the act of Congress hereinafter specially referred to and described, all the public moneys collected by him or otherwise at any time placed in his possession and custody, till the same has been or shall be ordered by the proper department or officer of the government, to be transferred or paid out; and when such orders for transfer or payment have been or shall be received, has faithfully and promptly made, and shall faithfully and promptly make, the same as directed, and has done and shall do and perform all other duties, as fiscal agent of the government, which have been or may be imposed by any act of Congress, or by any regulation of the Treasury Department, made in conformity to law; and also has done and performed, and shall do and perform, all acts and duties required by law, or by direction
12 of any of the executive departments of the government, as agent for paying pensions, or for making any other disbursements which either of the heads of these departments may be required by law to make, and which are of a character to be made by a depository constituted by an act of Congress, entitled, An act to provide for the better organization of the Treasury, and for the collection, safe keeping, transfer and disbursement of the public revenue," approved August 6th, 1846, consistently with the other official duties imposed upon him, then this obligation to be void and of none effect, otherwise it shall abide and remain in full force and virtue.

(Signed) ADDISON R. GILMORE.
JESSIE WILLIAMS.
FRANCIS R. WEST.
ENOS LOWE.
G. C. MONELL.

Signed, sealed, and delivered in the presence of—
JNO. L. SMITH.
R. C JORDAN, as to Addison R. Gilmore.
W. C. NATT, as to Jesse Williams and Francis R. West.
F. A. TUTTLE, as to Jesse Williams and Francis R. West.
JESSE LOWE, J. A. HARBACH, as to signature of Enos Lowe.
JOHN A. PARKER, HENRY C. MORGAN, as to G. C. Monell.

Endorsed: United States of America, District of Nebraska Territory, ss. I, Enheimer Estabrook, District of Nebraska, and J. Eleazer Wakely, assistant justice of the Supreme Court, do

13 hereby certify that the securities within named, and who have signed the foregoing bond, are responsible and sufficient to ensure the payment of the entire penalty named therein. Witness our hands and seals this 29th day of December, 1857.

[SEAL.] ELEAZER WAKELY,
Associate Justice of the Supreme Court.

[SEAL.] E. ESTABROOK,
Attorney of the United States for the Territory of Nebraska.

OFFICE OF THE SOLICITOR OF THE TREASURY.
January 25, 1858.

I hereby certify that the sums named in and the sureties to this bond seem reasonable and safe to me; all to my satisfaction.

JUNIUS HILLYER,
Solicitor of the Treasury.

On the back of the above petition were the following endorsements, to wit :

Petition filed August 15, 1864. I. H. Kellom, clerk.

Sir: Issue summons in this case against the above defendants, according to law. Am't claimed is $9,210 40 ; int. from 19th March, 1859. Daniel Gantt, att'y for pl'ff. To I. H. Kellom, clerk. Gantt, U. S. att'y.

And thereupon to wit, on the 15th day of August, A. D. 1864, then issued out of the office of the clerk of said court, a sum-
14 mons clothed in the words and figures following, to wit :

Summons.

UNITED STATES OF AMERICA,
The Territory of Nebraska, first judicial district:

To the U. S. Marshall of Nebraska Territory. By the authority of the United States of America. To the United States Marshal of the Territory of Nebraska.

Greeting : You are commanded to notify the defendants, Addison R. Gilmore, Jessie Williams, Francis R. West, Enos Lowe, and Gilbert C. Monell that they have been sued by the United States of America, plaintiff, in the District Court of the United States, for the first Judicial District of the Territory of Nebraska, and that unless they appear and answer by the 19th day of September, A. D. 1864. the petition of the said plaintiff against them, filed in the clerk's office of said court, such petition will be taken as true and judgment rendered accordingly. You will make due return of this summons on the 29th day of August, A. D. 1864.

Witness my signature and the seal of said court, at Omaha, this 15th day of August, A. D. 1864.

[SEAL.] I. H. KELLOM, *Clerk.*

Endorsed on the back of the foregoing summons was the following, to wit: Summons. Amount claimed of the defendant by the plaintiff

is $9,210 40, and interest from 19 March, 1859. Daniel Gantt, plaintiff's att'y. Returned and filed August 29, 1864. I. H.
15 Kellom, clerk.

The following return was endorsed upon the foregoing writ in words and figures following to wit:

Return.

Rec'd this summons, August 22d, 1864, at four o'clock p. m.; and on the 27th of same month, at Omaha, Nebraska, served it personally upon the within named defendants, Addison R. Gillmore, Emos Lowe, and Gilbert C. Monell, and also by giving to each of said defendants as named a certified copy of said summons. Jesse Williams and Francis R. West not found in district of Nebraska.

Omaha, Aug. 27, 1864.

P. W. HITCHCOCK,
U. S. Marshal of Nebraska.

Fees $6 18.

And afterwards, to wit, on the 19th day of October, 1864, a motion was filed in the following words and figures, to wit:

U. S. Dist. Ct., 1st Dist. Nebraska.

UNITED STATES *vs.* ADDISON R. GILMORE, ENOS LOWE, and Gilbert C. Monell, impleaded with him, *et al.*	99.

Now come the said defendants, by J. M. Woolworth, their attorney, and move the court for an order, directing the said plaintiff that it state the matters, constituting its cause of action against these defendants in ordinary and concise language without repetition.

J. M. WOOLWORTH,
Att'y for Def'ts, Gilmore, Monell & Lowe.

On the back of which motion were the following endorsements, to wit:

16 U. S. Dist. C't, No. 99. U. Sts. *vs.* Gilmore *et al.* Motion. J. M. W., att'y. Filed Oct. 19, 1864. J. H. Kellom, clerk. No entry on journal in reference to the above motion.

And afterwards, to wit, on the twenty-fifth day of November, 1864, a motion and an affidavit of A. R. Gilmore was filed in the office of the clerk of said court, clothed in the words and figures following, to wit:

United States District Court, First Judicial District, Territory of Nebraska, first judicial district, T. N.

Defendants' claims for credits.

UNITED STATES OF AMERICA
vs.
ADDISON R. GILMORE, ENOS LOWE, and Gilbert C. Monell, impleaded with Jesse Williams.

Addison R. Gilmore, being duly sworn before the said court now being open, and in presence of Daniel Gantt, esquire, United States attorney, deposes and says:

That he is equitably entitled to divers credits upon the bond sued on in this action, which are as follows: $34 50 for so much money paid by him for a store for the use of the United States in the receiver's office, and which the United States received and retained; $1,193 89 for so much money charged against this deponent for moneys derived from fees of the register in military county land warrant locations, which did not come to the hands of or for which deponent was in no wise responsible; $1,327 16 for so much money due to this deponent on account of fees in locating land warrants, he not having received for the said service the amount allowed by law; $20 for so much money paid by deponent to clerks for transcribing books for the south Platte land district; $140 expenses for depositing money of the United States and transporting same; to treasury for printing $90; $15 50 for so much money paid by deponent for stationary and blank books used in and about the business of the said United States; $14 50 for so much money paid by deponent to clerks for canvassing platts; $30 50 for so much money paid for a desk, for and used in and about the business of the United States, and now owned by it; $411 95 for so much money due to deponent for his fees of office, he not having received the maximum allowed by law.

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And this deponent further says his claim for the said credits have been presented to and rejected by the accounting officers of the Treasury; that each of the said sums were necessarily expended by deponent in and about the business, and for the benefit of the said plaintiff; that deponent cannot safely proceed to trial of this cause at the present term of the court; that he has not been able to make [able to make] the requisite preparation for the trial, but will be able to do so at the next term of court; that he has a good defense on the merits to the said suit, and does not make this application for the purpose of delay.

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And this deponent further says that William T. Walker was deponent's clerk during the time he held said office and kept the accounts, and made the reports, balances, &c., for moneys received by deponent in and about his said office, and is well acquainted with the credits to which, as above-stated, deponent is entitled; that he has not been in this Territory, but will be here within one month; that he

resides in the Territory of Colorado; that he is a material witness for deponent, and without his testimony deponent cannot safely proceed to the trial of this cause.

A. R. GILMORE.

Subscribed in my presence, and sworn to before me this 25th day of November, 1864.

J. H. KELLOM, *Clerk.*

U. S. District Court, 1st District, Nebraska.

UNITED STATES
vs.
ADDISON R. GILMORE *et al*

Now come the defendants, Gilmore, Monell, and Lowe, by J. M. Woolworth, their attorney, and move the court to continue [to continue] this cause to the next term thereof, for the reasons set forth in the annexed affidavit.

J. M. WOOLWORTH,
Att'y for said def'ts.

On the back of which said motion were the following endorsements, to wit:

19 U. S. Dist. C'n't. U. S. *vs.* Gilmore. Mo. and affi't. J. M. W., att'y. Filed Nov. 25, 1864. J. H. Kellom, clerk.

And afterwards, to wit, on the 25th day of November, 1864, an order of court was made in the following words and figures, to wit:

Suit on bond.

UNITED STATES
vs.
ADDISON R. GILMORE, GILBERT C. MONELL *et al*

The motion for an order requiring the plaintiff to file in this action a petition in the form prescribed by the code of civil procedure, came on to be heard and was argued by counsel, and thereupon the court was of opinion that the pleadings in this action should be according to the course of the common law, and that the said motion was not well taken. Whereupon it is considered and adjudged that the said motion be, and the same is, hereby overruled.

And afterwards, to wit, on the 24th January, 1864, was filed in the office of the clerk of said court pleas by plaintiff, clothed in the words and figures following, to wit:

In the District Court of the United States for the first judicial district of the Territory of Nebraska, of the term of October, the 24 day of January, 1865.

ADDISON R. GILMORE, ENOS LOWE, GILBERT C. Monell, impleaded with Jesse Williams *et al.*
vs.
THE UNITED STATES OF AMERICA.

20 *Plea.*

Come now the said defendants, Addison R. Gilmore, Enos Lowe, and Gilbert C. Monell, by J. M. Woolworth, their attorney, and defend the wrong and injury, when, &c., and say they do not, nor does either of them, owe the sum of money above demanded, or any part thereof, in manner and form as the said plaintiff hath thereof above complained against them, and of this the said defendants put themselves upon the country.

And for another plea in this behalf, as to the said several supposed causes of action in the said declaration mentioned, did not, nor did either of them, accrue to the said plaintiff at any time within five years next before the commencement of this suit, in manner and form as the said plaintiff hath thereof above complained against the said defendant; and this the said defendants are ready to verify, wherefore they pray judgment if the said plaintiff ought to have or maintain its aforesaid action thereof against him, &c.

And for another plea, in this behalf, as to the said several supposed causes of action in the said declaration mentioned, the said defendants says, that the said plaintiff ought not to have or maintain its aforesaid action thereof against the said defendants, because they say that

21 before and at the time of the commencement of this suit, the said plaintiff was and still is, indebted unto the said defendant, Addison R. Gilmore, in a much larger sum of money than the sum of money in the said declaration above demanded; that is to say, the sum of $13,117, as follows: that is to say in the sum of $2,000 for the salary and wages of the said defendant before and at the time of the commencement of this suit, due and payable from the said plaintiff to the said defendant, for the services of the said defendant, by the said defendant before then done and performed as receiver of public moneys at the land office of the Omaha land district, and on his retainer and appointment aforesaid, to wit, from the 25th day of December 1855 to the 30th day of March, A. D. 1859; and also in the sum of $2,000 for work and labor, care, diligence, and attendance of the said defendant, by the said defendant before that time done, performed, and bestowed as receiver as aforesaid, and as his salary, and on his retainer and appointment as receiver, as aforesaid, to wit: at the land office of said plaintiff, and the said first judicial district, from the 25th day of December, 1855, to the 30th day of March, 1859; and also in the sum of $5,266 for work and labor, care, and diligence, and attendance of the said defendant, by the said defendants done, performed, and bestowed, and for certain

commissions and rewards as receiver as aforesaid, during the incumbency of the said office of receiver, by the said defendant in
22 and about locating [locating] military bounty land warrants, to wit, 421, 350.07 acres of land, to wit, at the land office and district aforesaid, from the 25th day of December, 1855, to the 30th day of March, 1859; and also in the further sum of $851 34 for work and labor, care, diligence, and attendance of the said defendants by the said defendant done, performed, and restored, and for certain commissions and rewards as receiver aforesaid, in and about the sale of the lands of the said plaintiff, to wit, 68,107 acres during the incumbency of the said office of receiver as aforesaid, by the said defendants, to wit: at the land office and district aforesaid, from the 25th day of December, 1855, to the 30th day of March, 1859, and also in the sum of $4,000 for so much money by the said defendants paid, laid out, and expended to and for the use of the said plaintiff at its special instance and requests in and about the business of the said plaintiff, and the office of receiver aforesaid, to wit, for the services as clerks, in said office of receiver, of John A. Horbach, William S. Walker, Robert J. Jordan, William T. Clark, and divers other persons, to wit, at the said land office and district during the aforesaid term; and also in the sum of $1,000 for so much money, by the said defendant paid, laid out, and expended to and for the use of the said plaintiff at its special instance and request in and about the business of the said plaintiff, and the office of receiver
23 aforesaid, to wit, for the use and occupation of certain buildings and rooms for the office of receiver of the said plaintiff, to wit, at the said land office and district aforesaid, on the 30th day of March, 1859; all which said several sums of money were of right due and payable to the said defendant by the said plaintiff, in respect of the several matters aforesaid, [all which said several sums of money were of right due and payable to the said defendant by the said plaintiff in respect of the several matters aforesaid,] all which said several sums of money amount, in the aggregate, to the sum of $13,117, so due and owing from the said plaintiff to said defendant, and wholly due and unpaid, and exceed the sum of money above demanded by the said plaintiff, and which said sum of money so due and owing from the said plaintiff to said defendant, or so much thereof as shall be necessary in that behalf, the said defendants are ready and willing, and offer to set off against any money due by the said defendants to the said plaintiffs, by virtue of the condition of the said supposed writing obligatory, and this the said defendants are ready to veryfy, wherefore they pray judgment if the said plaintiff ought to have or maintain its aforesaid action thereof against them, &c.

JAS. M. WOOLWORTH,
Atty. for deft's, Gilmore, Lowe, and Monell.

24 On the back of which plea were the following endorsements, to wit:

Pleas. J. M. Woolworth, deft's att'y. Filed January 24th, 1865. B. C. Kellom, clerk.

And afterwards, to wit: On the 15th day of June, 1865, a replication in the above-entitled cause was filed in the office of the clerk of said court, which was in the words and figures following, to wit:

In the District Court of the United States for the first judicial district of the territory of Nebraska.

Replication.

THE UNITED STATES OF AMERICA
vs.
ADDISON R. GILMORE, ENOS LOWE, GILBERT C. MONELL, *et al.*

And the said plaintiff as to the said plea of the said defendants, by them first above pleaded, [pleaded] and whereof they here put themselves upon the country, doth the like. And the said plaintiff as to the said plea of the said defendants, by them secondly above pleaded, saith that the said plaintiff, by reason of anything by the said defendants in that plea alledged, ought not to be barred from having and maintaining its aforesaid action thereof against the said defendants, because said plaintiff saith that the said several causes of action in the said declaration mentioned, and each and every of them were and are barred by any statutory or other law of limitations, in manner and form as the said defendants [as the said defendants] have in their said plea above pleaded. And this the said plaintiff prays me be inquired of by the country. And the said
25 plaintiff, as to the said plea of the said defendants by them thirdly above pleaded, saith that the said plaintiff, by reason of anything by the said defendants in that plea alledged, ought not to be barred from having and maintaining its aforesaid action thereof against the said defendants, because the said plaintiff saith that it was not before and at the time of the commencement of this action, and still is not indebted to the said defendant, Addison R. Gilmore, in the sum of $13,117, or any part thereof, or in any other sum of money, in manner and form as the said defendants have thereof in their above plea complained against the said plaintiff. And this the said plaintiff prays may be enquired of by the country.

DANIEL GANTT,
U. S. Att'y for Nebraska Territory, and for pl'ff.

On the back of which said replication and the following endorsement:

Replication, filed June 15th 1895. Wm. Kellogg, Jr., clerk.

And afterwards, to wit on the 22nd day of June, 1865, an entry was made on the journal of said court, clothed in the words and figures following, to wit:

Jury summons.—Action on bond.

UNITED STATES OF AMERICA
vs
ADDISON R. GILMORE, JESSE WILLIAMS, Francis R. West, Enos Lowe, and Gilbert C. Monell.

26 This cause coming on to be heard, and the pl'ff, by Daniel Gantt, United States Attorney, having filed his declaration herein, and the said defendants, Addison R. Gilmore, Enos Lowe, Gilbert C. Monell, by their attorney, J. M. Woolworth, having filed their three several pleas to said declaration, and replication having been filed to the second and third pleas, and issue being joined on said first pleas and replications to the country, and the said defendants, Jesse Williams and Francis R. West not having been served with process herein, it is ordered that a jury come to try the issue joined, whereupon came St. John Goodrich, Samuel Bauserman, Edward Whitehorn, George L. Miller, Julius Redowsky, James Forsythe, Myer Hullman, James McCracken, Charles Powell, Albert Tucker, Philander Reed, and John Campbell, twelve good and lawful men to try the same, who were duly impanneled and sworn to try said issues; whereupon the court, having instructed the jury in regard to their duties as jurors, by agreement of parties, permitted the jury to separate until the meeting of the court on to-morrow morning.

And afterwards, to wit, on the 23rd day of June, 1865, were filed in the office of the clerk of said court certain instructions, clothed in the words and figures following, to wit:

27 *Instructions to jury.*

The [the] transcript from the books and proceedings of the Treasury, is only prima facie evidence of the charges which it contains and may be rebutted by evidence produced by the defendants. In order to entitle the plaintiff to maintain this suit, it is incumbent it to prove that at some time that it or its officer demanded from the defendant, Gilmore, the payment of the moneys claimed by it, and if the jury do not find from the evidence that such demand was made, they must find for the defendant; and further instructions for the jury were at the date last above mentioned filed on the part of plaintiff, clothed in the words and figures following, to wit:

In order to a recovery on the second count of the declaration in this court, it is necessary to prove a demand on the defendant, Gilmore, for the monies charged to be in his hands as an officer of the gov't, as alledged in said declaration.

And afterwards to wit, on the 23rd day of June, 1865, an entry was made on the journal of said court, clothed in words and figures following, to wit:

28 *Action on bond.—Disagreement and discharge of jury.*

UNITED STATES OF AMERICA
vs.
ADDISON R. GILMORE, JESSE WILLIAMS, Francis R. West, Enos Lowe, and Gilbert C. Monell.

This cause again coming on to be heard, and the jury impanneled and sworn on yesterday, having heard the evidence adduced by the parties, the argument of counsel and the instructions of the court, retired to consider of their verdict; and after having considered of the same, returned into court and reported to the court that after full consideration of the issue before them they could not agree upon a verdict.

New trial ordered.

Whereupon the court, being fully advised in the premises, it is ordered that the jury impanneled herein be discharged; that a new trial be had, and this cause be continued until the next term of this court.

And afterwards to wit, on the 13th day of October, 1865, a motion was filed in the office of the clerk of said court by defendants in words and figures following, to wit:

U. S. Dis't Court.

UNITED STATES
vs.
ADDISON R. GILMORE *et al.*

Come now the defendants, Lowe and Monell, by J. M. Woolworth, their attorney, and move the court for leave to file pleas now on file de bennesse with the clerk.

J. M. WOOLWORTH,
Deft's Att'y.

29 And thereupon, at the date last above mentioned, was entered on the record of said court an entry, in words and figures following, to wit:

Suit on bond.

UNITED STATES OF AMERICA
vs.
ADDISON B. GILMORE, JESSE WILLIAMS, Francis R. West, and Gilbert C. Monell.

And now comes the defendants, Enos Lowe and Gilbert C. Monell, by their attorney, James M. Woolworth, and moves the court for

permission to file additional pleas. And the court heard the argument of counsel, and being fully advised in the premises, it is ordered that said motion be, and the same is hereby, overruled.

And afterwards, to wit, on the 19th day of October, 1865, was filed in the office of the clerk of said court a motion clothed in the words and figures following, to wit:

U. S. Dist. Court, 1st dist. Nebraska.

UNITED STATES
vs.
ADDISON R. GILMORE, ENOS LOWE, GILBERT C. Monell, impleaded with him, *et al.*

Now comes the said defendant, by J. M. Woolworth, their attorney, and moves the court for an order directing the said plaintiff that it state the matter and things constituting its cause of
30 action against the defendants in ordinary and concise language, without repetition.

J. M. WOOLWORTH,
Att'y for Def'ts, Gilmore, Monell and Lowe.

And afterwards, to wit, on the 24th day of October, 1865, was filed in the office of the clerk of said court a plea clothed in words and figures following, to wit:

In the United States District Court for the first judicial district of Nebraska.

Additional plea.

THE UNITED STATES OF AMERICA
vs.
ADDISON R. GILMORE, impleaded with Gilbert C. Monell, *et al.*

UNITED STATES OF AMERICA,
First Judicial District of Nebraska, ss:

And now at this day, to wit, on the twenty-fourth day of October, in the year one thousand eighteen hundred and sixty-five, to which day the sittings of the said court, which, by and on the tenth day of October, in the year aforesaid, were in due manner continued before the Honorable William Kellogg, the Chief Justice of the Supreme Court for the Territory of Nebraska, assigned to be judge of the said District Court, comes the said defendant, Addison R. Gilmore, by J. M. Woolworth, his counsel, and saith that the said plaintiff ought not further to have or maintain its aforesaid action against the
31 said defendant, because he saith that the said plaintiff, to wit, on the seventeenth day of October, one thousand eight hundred and sixty-four, to the October term in said year, by summons

duly tested on said day, impleaded the said defendant with Peter A. Sarpy and Philip J. McMahon in this court, in a certain plea of debt for the sum of eight hundred and twenty-four dollars and ninety-eight cents, with interest thereon from the seventeenth day of October, one thousand eight hundred and sixty, for so much money due to the said plaintiff by reason of the forfeiture by the said defendant, Gilmore, and the said McMahon and Sarpy, and one Abner W. Hollister, of a certain writing obligatory, the condition whereof was, that if the said defendant, Gilmore, had truly and faithfully executed and discharged, and should truly and faithfully execute and discharge, all the duties of the office of receiver of public moneys for the district of lands subject to sale in the Territory of Nebraska according to law during his term of office; that is to say, from the 3rd day of March, A. D. 1855, thence to the third day of March, A. D. 1859, the said writing obligatory should be void, otherwise of full force and effect. And such proceedings were thereupon had in said court in that place that the said plaintiff, according to the course
32 and cause, and before this day, to wit, on the day of June, in the year one thousand eight hundred and sixty-four, duly obtained, as of the last term, for and on account of moneys which the said defendant, Addison R. Gilmore, as receiver as aforesaid, held and received for the use and benefit of the said plaintiff during the term of office of the said Gilmore, up to the 7th day of March, 1859, and which money remained in his hands unpaid and unaccounted for by him to said plaintiff, by reason whereof said bond became forfeited, a certain judgment of the said court against the said defendant Gilmore, whereby it was considered by the said court that the said plaintiff should recover of the said defendant the sum of fifty-nine dollars for the damages which it had sustained by reason of the not performing the said promises and undertakings last mentioned, as for its costs and charges, by it about its suit in that behalf expended; whereof the said defendant and the said McMahon and Jonathan N. Wise, administrator of the goods, &c., of said Sarpy, deceased, were duly convicted, as by the record and proceedings thereof still remaining in said court more fully appears,
33 which said judgment still remains in full force and effect, not in any ways annulled, discharged, or satisfied, nor vacated, modified, or reversed.

And the said defendant is ready to verify, wherefore he prays judgment if the said plaintiff accept further to have or maintain its said action thereof against him, &c.

J. D. WOOLWORTH,
Def'ts Att'y.

And thereupon, to wit, the 24th day of October, 1865, a motion was filed, which is in words and figures following, to wit:

U. S. District Court, first district of Nebraska.

Motion for court to file additional plea.

UNITED STATES
vs.
ADDISON R. GILLMORE *et al.*

Comes now the defendant, Addision R. Gilmore, by J. M. Woolworth, his attorney, moves the court for leave to file the plea herewith submitted.

J. M. WOOLWORTH,
Def'ts Att'y.

Written on the back of said motion is the words and figures following, to wit:

U. S. Dist. C't. U. S. *vs.* Gillmore. Motion. W., att'y. Filed Oct. 24th, 1865. Wm. Kellogg, jr., clerk.

34 And thereupon, afterwards, to wit, on the day and year last above written, an order was entered in said cause overruling the motion of the defendant for leave to file an additional plea, which appears of record in words and figures following, to wit:

Motion overruled.

THE UNITED STATES OF AMERICA
vs.
ADDISON R. GILLMORE, G. C. Monell, Enos Lowe, *et al.* — Suit on bond.

And now this cause came on to be heard upon the motion of the defendant, Gilmore, for leave to file additional plea, and the court having heard the argument of counsel, and being fully advised in the premises, it is ordered that the said motion be overruled.

And thereupon, afterwards, to wit, on the thirty-first day of October, in the year aforesaid, a plea was filed in said cause, which is in words and figures following, to wit:

35 In the District Court of the United States for the 1st district of Nebraska, of October term, 1865.

Additional plea.

ENOS LOWE AND GILBERT C. MONELL, impleaded with Addeson R. Gillmore,
ads.
THE UNITED STATES OF AMERICA.

THE UNITED STATES OF AMERICA,
First Judicial District of Nebraska, ss:

Come now the said defendants, Enos Lowe and Gilbert C. Monell, by J. M. Woolworth, their attorney, and for further plea in this

behalf the said defendants, by leave of the court here, for this purpose first had and obtained, say that the said plaintiff ought not to have or maintain its aforesaid action thereof against them, because they say that the said Addison R. Gillmore did, from time to time, and at all times after he was appointed receiver of public moneys as aforesaid, and thence during all the term for and during which he, the said Gillmore, held said office, well and truly and faithfully observe, perform, fulfil, and keep all and singular the articles, clauses, payments, conditions, and agreements in the said condition of the said writing obligatory specified, comprised, and mentioned, in all things therein contained, on his behalf to be preserved, performed, fulfilled, and kept according to the tenor and effect, true intent and meaning of said condition of said writing obligatory; and
36 that he did from time to time, and at all times during which he held the said office, or acted as receiver as aforesaid, he did well and truly and faithfully execute and discharge all the duties of said office according to law and the condition of said writing obligatory, and did well and truly and faithfully keep safely, without loaning, using, depositing in banks, or exchanging for other moneys then allowed by law, all the money of the plaintiff collected by him or placed in his possession or custody, 'til the same was ordered by the proper department or officer of the government to be transferred or paid out; that when such orders were made, he, the said Gillmore, did faithfully and promptly make the same as directed, and did do and perform all duties required of him by law in any capacity, and did pay over to the proper officer of the government, and upon its orders in that behalf, all the public money which he received or collected, or in any manner ever held, whenever thereunto requested; and this the said defendants are ready to verify.

Wherefore, they pray judgment if the said plaintiff ought to have or maintain its aforesaid action thereof against them, &c.

J. M. WOOLWORTH,
Att'y for Def'ts.

37 Written on the back of said plea are the words and figures following, to wit:

99. U. S. Dist. Co't. Lowe & Gillmore, impl'd, &c., *ads.* U. S. Plea. J. M. W., att'y. Filed Oct. 31st, 1865. Wm. Kellogg, jr., clerk.

And thereupon, afterwards, to wit, on the first day of November, 1865, a replication was filed in said cause, which is in words and figures following, to wit:

In the District Court of the United States in and for the 1st judicial district of the Territory of Nebraska.

Replication.

UNITED STATES OF AMERICA
vs.
ENOS LOWE and GILBERT C. MONELL, impleaded with Addison R. Gillmore.

And the said plaintiffs, as to the said plea of the said defendants, Enos Lowe and Gilbert C. Monell lastly above pleaded, saith that the said plaintiff, by reason of anything by the said defendants in that plea alleged, ought not to be barred from having and maintaining its aforesaid action thereof against the said defendants, because the plaintiff saith that the said Addison R. Gillmore did not from time to time, and at all times after he was appointed receiver
38 of public moneys as aforesaid, and thence during all the time for and during which the said Gillmore held said office, well and truly and faithfully observe, perform, and fulfill and keep all and singular the articles, clauses, payments, conditions, and agreements in the said condition of the said writing obligatory, specified, comprised, and mentioned, in all things therein contained, on his behalf to be preserved, performed, fulfilled, and kept, according to the tenor and effect, true intent and meaning of said condition of said writing obligatory; and that the said Addison R. Gillmore did not from time to time, and at all times during which he held the said office, or acted as receiver as aforesaid, well and truly and faithfully execute and discharge all the duties of the said office according to law and the condition of the said writing obligatory, and did not well and truly and faithfully keep safely, without loaning, using, depositing in banks, or exchanging for other moneys then allowed by law, all the money of the said plaintiff collected by him or placed in his possession or custody, 'til the same was ordered by the proper department or officer of the government to be transferred or paid out; that when such orders were made, the said Gillmore did not faithfully and promptly make the same as directed, and did not do and per-
39 form all the duties required of him by law in any capacity, and did not pay over to the proper officer of the government, and upon its orders in that behalf, all the public moneys which he received, or collected, or in any manner ever held, whenever thereunto requested, in manner and form as the said defendants have above in their said plea in that behalf alleged.

And the said plaintiff saith that the said Addison R. Gillmore, as such receiver of public moneys as aforesaid, held and received, for and on account of the said plaintiff divers sums of money, amounting in the whole to a large sum of money, to wit, the sum of $148,720 44-100. lawful money of the United States, of which said sum of money there still remains due and unpaid to the said plaintiff by said Gillmore the sum of $9,210 40-100. Yet the said Addison R. Gillmore and the said defendants, Enos Lowe and Gilbert C.

Monell, although often requested so to do, have not paid, nor hath either of them paid, to the plaintiff the said sum of money found due to the said plaintiff, or any part thereof, or any interest accruing thereon, but to do so have, and each of them hath, therein wholly failed and made default; and the said sum of money so had and received by the said Gillmore, and remaining due to plaintiff as aforesaid, is still wholly unpaid and unsatisfied to the said plaintiff, contrary to
40 the form and effect of the said condition of said writing obligatory, to wit, at the first judicial district aforesaid.

And this the said plaintiff prays may be inquired of by the country.

DANIEL GANTT,
United States Attorney for Nebraska Territory.

On the back of said rejoinder are written the words and figures following, to wit:

United States of America *v.* Enos Lowe and Gilbert C. Monell. Replication to plea of performance. Filed Nov. 1st, 1865. Wm. Kellogg, jr., clerk. Gantt, U. S. att'y.

And thereupon, to wit, the day and year last above written, a rejoinder was filed in said cause, which is in words and figures following, to wit:

In the District Court of the United States for the first district of Nebraska, of the October term, 1865.

UNITED STATES OF AMERICA,
First judicial district of Nebraska, ss:

41 *Rejoinder.*

ENOS LOWE and GILBERT C. MONELL, impleaded with Addison R. Gillmore, *ads.*
THE UNITED STATES OF AMERICA.

And the said defendants, as to the said replication of the said plaintiff to the plea of the said defendants lastly above pleaded, say that the said plaintiff ought not, by reason of anything by him in that replication alleged, to have or maintain its aforesaid action thereof against them, the said defendants, because they say that the said Addison R. Gillmore, after he had received the sum of money in the said declaration mentioned, and before the commencement of this action, to wit, at the district aforesaid, on the 1st day of June, 1859, well and truly accounted for, and paid over to the said plaintiff the same sums of money received by him, the said Gillmore, as aforesaid; and of this said defendants put themselves upon the country, &c.

J. M. WOOLWORTH,
Def'ts Att'y.

On the back of said rejoinder are written the words and figures following, to wit:

99. In U. S. Dis't C'rt, Lowe & Monell, imp'd & ads. U. S. Rejoinder. J. M. Woolworth, def'ts att'y. Filed Nov. 1st, 1865. Wm. M. Kellogg, jr., clerk.

42 And thereupon afterwards, to wit, on the second day of November, 1865, this cause came on to be tried, which appears of record, in words and figures following, to wit:

Suit on a bond.—Jury empannelled.

UNITED STATES
vs.
ADDISON R. GILLMORE
Jesse Williams, Enos Lowe, G. C. Monell, *et al.*

And now this cause coming on to be heard, and issue being joined, the parties do say that they put themselves upon the country for trial. Whereupon, it is ordered that a jury come to try the same. Whereupon came David T. Mount, H. O. Jones, Sam'l E. Rogers, F. A. Schneider, Haman Chapman, Isaac W. Warner, E. H. Warner, Edwin Patrick, J. D. Sutphen, Samuel Durnell, Harrison Johnson and Joseph Burnes, good and lawful men, who being duly empannelled and sworn to try the issue joined herein; and having heard the evidence adduced, the argument of counsel, and the instructions of the court, retired in charge of a sworn officer of the court to consider
43 of their verdict; and having considered the same, returned into court, and rendered, and declared their verdict as follows:

Verdict for plaintiff.

UNITED STATES OF AMERICA
vs.
ADDISSON R. GILLMORE, JESSE Williams, Frank R. West, Enos Lowe and Gilbert C. Monell.

We, the jury in the above-entitled cause, find for the plaintiff in the sum of ten dollars and forty cents, and interest six dollars and eighty-two cents.

November 2d, 1865.

HARRISON JOHNSON,
Foreman.

And thereupon afterwards, to wit, on the third day of November, 1865, a bill of exceptions was filed in said cause, which is in words and figures following, to wit:

In District Court of the United States, in and for the first judicial district of the Territory of Nebraska.

Bill of exceptions.

UNITED STATES OF AMERICA
vs.
ADDISON R. GILLMORE, ENOS Lowe and Gilbert C. Monell.

Be it remembered, that on the trial of this cause, in the District Court of the United States, within and for the first judicial
44 district of the Territory of Nebraska, at the October term thereof, A. D. 1865, the said plaintiff, to maintain the issue on its part, offered in evidence the following copy of bond of defendant Gillmore and his sureties, dated 5 December, 1855, certified by S. P. Chase, Secretary of the Treasury, to which defendants objected, on the ground that the same is not evidence without proof of its execution, the same as would be required on the original bond, and is not certified by the proper officer; objection overruled, to which def'ts excepted duly, and certified copy of bond read to jury. The plaintiff also offered in evidence to the jury transcript of the accounts of Gillmore, as depositary aforesaid, certified by Hugh McCulloch, Secretary of the Treasury, Sept. 9, 1865, to which transcript def'ts objected, on the ground the same was not certified by the Register of the Treasury, and is not evidence without proof of the accounts, and show a large am't received by Gillmore than is claimed by pl'ff. Objection overruled, and to which ruling defendants duly excepted.

The plaintiff also offered in evidence to the jury the transcript of accounts of Gillmore, as depositary aforesaid, certified by S. E. Chittenden, Register of the Treasury, February, 22d
45 1864, to which def'ts objected on the ground that same states amounts in gross, and there is no proof of the signature of A. R. Gillmore, by G. C. Monell, which said certified copy of the bond and two several transcripts of accounts of said Gillmore are hereto attached, and made part of the bill of exceptions. Plaintiff also called B. M. Trumbull as witness, who testified on oath that he was receiver of public moneys, and designated depositary of Land Office at Omaha; that he has the custody of all the records and papers of said office. Witness then presented stated accounts of Gillmore, depositary, and says: These statements of accounts are records of the office, and were brought by me from the office of the land office. I know the handwriting of A. R. Gillmore. I saw him write. It is his signature to each one of these stated accounts. They are his weekly reports. I did not examine them closely to see if he reported each successive week. Pl'ff offers the reports or accounts in evidence.

(Objected to by def'ts on the ground that said accounts are irrelevant, because they show a larger amount than is claimed to have been received by Gilmore.) Objections overruled by the court, and accounts read to the jury.

The defendants, to maintain the issue on thir part, offered
46 in evidence to the jury, as follows:

Addison R. Gillmore, def't, sworn: I reside at Omaha; came here in Nov. 1855, and came to the Territory in May, 1855. I was depositary from March, 1858, and continued till June or July, 1859. I paid out to the U. States, on Traasury drafts and warrants, $151,328 56. It don't appear on the records. My fees were paid.

State whether or not you, as designated depository, employed clerks in your office; if so, whom and by what authority?

(Objected to on the ground that the defendant must show first his authority to employ such clerks; that the law does not allow any such clerk here, or incidental expenses, unless due estimate of the same be first made and presented to the Secretary of the Interior, and the same be approved by Congress; that defendant must first show that he exhibited to the proper accounting officer of the Treasury his claim for such expenses paid, and the same was disallowed; that the exhibition to such accounting officer and disallowance can only be proved by the certificate of the accounting or proper officer of the department. And thereupon defendants stated to the court they expected to follow with proof of the presentation of the accounts alluded to for clerk hire to the proper accounting officer of the Treasury for allowance; and they were disal-
47 lowed. Whereupon the court stated it would permit the evidence, and control the matter by instructions to the jury. Objections overruled, and ruling excepted to by plaintiff.) Witness proceeds:

I employed two clerks in the office and had one with me, Robert Jordon and Wm. S. Walker. I held none other. I held them by general instructions from the Secretary of the Treasury. The instructions were in writing. (Pl'ff objects to evidence by witness as to instructions, the same being in writing, on the grounds that the writing is the best evidence.) Objections sustained, to which def'ts except.

State whether or not you rented any room for your office, as U.S. Depositary; and if so, from whom and by what authority?

(Objected to on the ground that the defendant must first show that he exhibited his account for rent paid by him to the proper accounting officer of the Treasury, and the same was disallowed; that the only proper proof of such presentation of expenses for rent and disallowance of the same is the certificate of the accounting officer or Register of the Treasury; that the law does not allow any such expenses unless an estimate was made by the Sc'y of Interior, and presented to and approved by Congress. And thereupon defendants stated to the court that they expected to follow with proper
48 proof of the presentation of the acts alluded to, for rent to the proper accounting officers of the Treasury, for allowance, and they were disallowed. Whereupon the court stated it would permit evidence as to rent for the depository office and control the matter by instructions to the jury, but excluded from the evidence all testimony in reference to rent for the receiver's office. Objections overruled, and ruling excepted to by pl'ff.) Witness proceeds:

I rented an office 1st of Doctor Monell, and then from Jesse Lowe. My office ceased in Monell's building, in July, 1858. In Lowe's building, I stayed till I ceased to a public officer, some time in June or July, 1859; I paid Monell from the time of my appointment $40 per month. I paid Jesse Lowe $600 a year. The first portion of the time, I paid Monell $50 a month. My fees, as depositary, were calculated by Mr. Walker at $600; that is what they amounted to, and they are not paid. The rent paid was reasonable as could be got, and was so considered by others. I don't know a man by name of G. C. Monell. I did not employ such man to settle accounts for me. I knew Isaac Sturgeon of St. Louis; I know his handwriting; saw him sign his name; that is his genuine signature; voucher referred to for payment by Gillmore of moneys received
49 by him as receiver of public moneys for sales of public lands to J. Sturgeon, the sum of $5,500.

(Objected to by pl'ff, on the ground that the receipt is for proceeds of sale of public lands by Gillmore, as receiver of public moneys, and not for money received by him as depositary.) Objection sustained, and ruling of court excepted to by def'ts.

State whether or not on the 25th day of January, 1858, or at any time afterwards, any of the moneys specified in these three items were in your hands.

(Objected to on the ground that the tendency of the question is to contradict by this witness his official acts under oath of office.)

Objection overruled, and the ruling of the court excepted to by pl'ff, (the 3 items referred to in the stated account of Gillmore, 1859, No. 6, in which he charges himself "under protest" for fees on location of land warrants, to wit, $4,214 23; also, $207 32; also, $1,854 82.) Witness ans., "They were not."

Witness proceeds: I have searched in the receiver's office for the letter of the Secretary of the Treasury, and did not find it; the receiver's office was the proper place for it, and it was deposited there. Mr. Trumbull was with me this evening, and I looked over the files of the papers and could not find it. Mr. Trumbull
50 was with me in the search we made through several of the old files of the office.

Now, will you state to the jury what, if any, authority it contained for employing clerks in the depositary office.

(Objected to on the ground that the loss of the writings containing the alleged instructions is not sufficiently proved.)

Objection overruled, and ruling of court excepted to by pl'ff.

It authorized me to have a clerk for the depositary's office. I employed Robert Jordon. He commenced his duties; I forget the exact time. I paid Jordon $100 a month. It was considered by myself and all others it was a reasonable compensation. It was necessary to have such clerk. He was a previous clerk of mine in the Land Office. He was employed in the depositary office from time I commenced my duties. It is impossible for me to tell when I received the letter. It was in August or September, 1857. I was then designated as depositary on the 3d August, 1857. I think the letter didn't

authorize me to rent an office. I was to use the receiver's office if it was sufficient. I presented these claims to accounting officer, and they were disallowed. I entered upon the duties of my office as depositary first in March, 1858. I authorized Monell so far. I sent on drafts with him for him to get them allowed. I gave him no authority further than that.

51 *Cross-examined.*

On payment of money received on warrants to me, the warrants were returned to the office; on payment of warrants, I took credit on my accounts for the same drafts on same as warrants.

Jordon's term of service commenced in March, 1858. He stayed, altogether, near fifteen months. In the form of estimate I presented the claim for clerk hire and rent at their instance, Aug. 27th, 1857. I never received any response for it. Heaviest expense I had, when in office, was Aug't, 1857. In relation to the rent, I presented to accounting officer of the Treasury, Aug't 17, 1857. I got a letter from the register, saying I might be allowed $720 a year for a clerk.

Mr. Jordon was my only clerk before Oct., 1857, till the time he left. When he left, Wm. S. Walker succeeded until I left the office.

G. C. Monell sworn:

I live at Omaha since spring of 1857. I did not sign any paper acknowledging a balance against Gillmore. I never signed any paper in the office having any reference to passed accounts of Gillmore. I had not any authority from Gillmore to adjust his accounts.

Cross-examined.

I went to the Land Office for the purpose of having some accounts allowed Gillmore. I did attend to it. I did not sign any
52 name to any paper whatever. I signed a receipt in the Treasury Department for money I paid for him. A portion of his account I had audited in the Land Office; that portion I paid into the treasury, and before the account would be accepted they required my receipt to it. I signed the paper in one of the departments of the treasury office, I don't know which. I signed the paper because they wouldn't credit the drafts without my signing it.

Enos Lowe sworn:

I am acquainted with Isaac H. Sturgeon. I saw him write. I am acquainted with his handwriting. That is his genuine signature.

Def't offers receipt of Sturgeon, to def't Gillmore, for money, (here insert receipt.)

(Objected to by pl'ff on the ground that the receipts are for money collected by Gillmore from sales of proceeds of public lands, as receiver of public moneys, and not as depositary.

Objection sustained and ruling excepted to by def't.

A. R. Gillmore recalled.

State, whether or not, any of the items to which I called your attention, were in your hands during any of the time you were depositary.

Ans. They were not.

53 As rebutting evidence, pl'ff offered in evidence to the jury the following items from the adjusted accounts of A. R. Gillmore, receiver of public moneys, on sales of public lands to one account, of quarter ending 30 Sept., 1857.

Amount of register's and receiver's fees acknowledged to have been received on location of mil'y bounty land w'ts on 189,268 65 acres, located 3 quarter of 1857	$4,731 71
Amount of register's and receiver's fees on m. b. land w'ts, are 35,031 $\frac{97}{100}$ acres pr. 4th quarter of 1857, acts of 1847, 1850, and 1858	$875 79
Am't of register's and receiver's fees for quarter ending March, 1858, on m. b. land warrants on 13,242 $\frac{43}{100}$ acres, acts of 1847, 1850, and 1855	231 06
Am't of register s and receiver's fees 2 quarters, 1858, m. b. land w'ts, on 19,014.01 acres, acts 1847, 1850, and 1855	476 02
Am't of register's and receiver's fees for quarter ending 30th Sept., 1858, on location of m. b'ty land w'ts, acts acts of 1847, 1850, and 1855	1,059 08
Am't of register and receiver's fees quarter ending 31 Dec. 1858, on locating m'y b'y land w'ts, acts 1850 and 1855	101 18
Am't register and receiver's fees for quarter ending 31st March, 1859, on locating m. b'y land w'ts	59 50

The plaintiff requested the court to charge the jury as follows:

1st. That in this action no claim for credit cannot be admitted as defence, unless it is first shown to the jury that such claim was presented to the proper officer of the government for examina-

54 tion, and by such officer disallowed in whole or in part, or that the defendant, Gillmore, first shows that he was prevented from exhibiting such claim or account of expenses at the treasury by absence from the United States, or some unavoidable accident.

2d. That for any bounty land warrant fees, under acts of 1847, 1850, and 1855, received by defendant, Gillmore, after he was designated depositary of public moneys, and with which said Gillmore has charged himself as such depositary, the defendants in their action are liable, so far as the same may be proved to the satisfaction of the jury to have been so received and charged.

Which said two points were not given by the court in form requested, but substantially given in oral charge of court to the jury. The first point and the second was given with a modification, to which plaintiff then and there excepted.

The court charged the jury orally upon the points of law arising in the case, to which no exceptions were taken by either party.

The jury returned a verdict for plaintiff for $17 22; and thereupon the said plaintiff made the following motion for a new trial.

In the District Court of the United States in and for the first judicial district of the Territory of Nebraska.

THE UNITED STATES
vs.
ADDISON R. GILLMORE *et al.*

55 Now comes the said plaintiff, by Daniel Gantt, its attorney, and moves the court to [to] grant a new trial in this cause, for the reason that the court misdirected the jury by its instructions upon the trial thereof.

DANIEL GANTT,
Atty for Pl'ff.

Which motion was overruled by the court; to which ruling the plaintiff then and there excepted; and thereupon the court rendered judgment upon the verdict of the jury. Which bill of exceptions the plaintiff prays may be allowed, sealed and signed by the court, which is accordingly done.

Dated November 3d, 1865.

[SEAL.] WM. KELLOG, *Judge.*

And thereupon, afterwards, to wit, on the third day of November, 1865, a judgment was entered upon the verdict of the jury heretofore rendered, which said judgment appears of record in words and figures following, to wit:

Judgment.

UUITED STATES OF AMERICA
vs.
ADDISON R. GILLMORE, JESE WILLIAMS, Frank R. West, Enos Lowe,
56 and Gilbert C. Monell.

And now comes the plaintiff, by its attorney, Daniel Gantt, esq., and moves the court for a new trial herein, and the court having heard the argument of counsel, and being fully advised in the premises, it is ordered that said motion be, and the same is hereby, overruled.

Thereupon it is considered by the court that the said plaintiff have, and recover of and from the said defendants the said sum of ten dollars and forty cents, and interest six dollars and eighty-two cents, and costs herein as taxed.

Exhibit.

And thereupon, to wit, the day and year last aforesaid, an exhibit was filed in the office of the clerk of said court, which said exhibit is in words and figures following, to wit:

[No. 149,045.] TREASURY DEPARTMENT,
First Auditor's Office, February 19th, 1864.

I hereby certify that I have examined and adjusted an account between the United States and Addison R. Gillmore, late U. S. designated depositary, Omaha City, and find that he is chargable, viz:

57 To balance due from him as per certified copy of his account filed herewith, and for which the Treasurer of the United States will be credited on the books of the Treasury $9,210 40

$9,210 40

And that the balance due to the United States amounts to $9,210 40

$9,210 40

As appears from the statements and vouchers herewith transmitted for the decision of the Comptroller of the Treasury thereon $9,210 40

T. L. SMITH,
First Auditor.

To the Comptroller of the Treasury.

COMPTROLLER'S OFFICE.

I admit and certify the above balance this 20 day of February, 1864.

R. W. TAYLOR, *Comptroller.*

To the Register of the Treasury.

58 *Addison R. Gillmore, late U. S. Designated Depositary, Omaha City, in account with the United States.*

DR.

To balance due from him as per certified copy of his account filed herewith, and for which the Treasurer of the United States will be credited on the books of the Treasury $9,210 40

$9,210 40

CR.

By balance $9,210 40

$9,210 40

First Auditor's Office, February 19, 1864.

D. W. MAHON.

59 1859.—No. 11.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary at Omaha City.

DR.

1861.					
To draft	8,176	T. I. W.	7,746	$2,463	00
Do	8,898	do	8,458	30	
Do	9,237	do	8,785	7	65
Do	9,649	do	9,195	50	
Do	6,698 2 S	do	7,915	500	
Do	6,699	do	7,916	500	
Do	6,700	do	7,917	500	
Balance				9,803	
				$13,854	03
Jan'y. To draft 2,014 T				592	98
Balance				9,210	40
				$9,803	38

CR.

1859.			
March 19. By balance		$13,854	03
		$13,854	03
By balance		$9,703	38

A. R. GILLMORE,
By G. C. MONELL, *Attorney.*

Washington, January 10, 1861.

I certify the above to be a true copy of the account on file in this office.

F. E. SPINNER,
Treasurer U. S.

May 12, 1862.

60 Attached to the foregoing exhibits is a certificate, which is is in the words and figures following, to wit:

TREASURY DEPARTMENT, REGISTER'S OFFICE,
February 22d, 1864.

Pursuant to the Act of March 3d, 1797, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public moneys," I, L. E. Chittenden, Register of the Treasury Department, do hereby certify that the annexed copy of the report of the First Auditor of the Treasury, numbered 149,045, as admitted and certified by the Comptroller, upon the account of Addison R. Gillmore, late U. S. Designated Depositary at Omaha city, and of the statement thereon, are a transcript from the books and proceedings of the Treasury, and that the account current of the said depositary is a true copy of the paper on file in this office.

L. E. CHITTENDEN, *Register.*

61 Be it remembered, that L. E. Chittenden, esq., who certified the annexed transcript, is now, and was at the time of doing so, Register of the Treasury of the United States, and that full faith and credit are due to his official attestations.

In testimony whereof, I, S. P. Chase, Secretary of the Treasury of the United States, have hereunto subscribed my name and caused to be affixed the seal of this Department, at the city of Washington, this twenty-second day of February, in the year of our Lord 1864.

S. P. CHASE,
Secretary of the Treasury.

And thereupon, to wit, the 3d day of November, in the year 1865, an exhibit was filed in the office of the clerk of said court, which is in words and figures following, to wit:

Know all men by these presents, that we, Addison R. Gillmore, Jesse Williams, Francis R. West, Enos Lowe, and Gilbert C. Monell, are held and firmly bound unto the United States of America in the full and just sum of two hundred thousand dollars, lawful money,
62 to be paid to the said United States, for which payment, well and truly to be made, we jointly and severally bind ourselves, our heirs, executors, and administrators, and each of them, firmly by these presents. Signed with our hands, and sealed with our seals, and dated this fifth day of December, in the year of our Lord one thousand, eight hundred and fifty-seven.

The condition of the foregoing obligation is such, that whereas the President of the United States hath, pursuant to law, appointed the said Addison R. Gillmore to be receiver of public monies for the district of land subject to sale in the Territory of Nebraska, and in due form of law caused to be issued to him, as such, a commission bearing date the seventh day of March, Anno Domini one thousand eight hundred and fifty-five. Now therefore, if the said Addison R. Gillmore has truly and faithfully executed and discharged, and shall truly and faithfully continue to execute and discharge, all the duties of said office, according to the laws of the United States, and more-
63 over, has well, truly, and faithfully kept, and shall well, truly, and faithfully keep safely, without loaning, using, depositing in banks, or exchanging for other funds than as allowed by the act of Congress, hereinafter specially referred to and described, all the public money collected by him, or otherwise at any time placed in his possession and custody, till the same has been or shall be ordered by the proper department or officer of the government to be transferred or paid out; and when such orders for transfer or payment have been or shall be received, has faithfully and promptly made and shall faithfully and promptly make, the same as directed, and has done, and shall do and perform, all other duties as fiscal agent of the government, which have been or may be imposed by any act of Congress, or by any regulation of the Treasury Department, made in conformity to law; and also has done and performed, and shall do and perform, all acts and duties required by law, or

by direction of any of the executive departments of the Government, as agent for paying pensions, or for making any other disbursements
64 which either of the heads of those departments may be required by law to make, and which are of a character to be made by a depositary constituted by the act of Congress entitled "An act to provide for the better organization of the Treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved August 6, 1846, consistently with other official duties imposed upon him, then this obligation to be void and of none effect, otherwise it shall abide and remain in full force and virtue.

[L. S.] ADDISON R. GILLMORE.
[L. S.] JESSE WILLIAMS.
[L. S.] FRANCIS R. WEST.
[L. S.] ENOS LOWE.
[L. S.] G. C. MONELL.

Signed, sealed, and delivered in the presence of—
JNO. S. SMITH, R. C. JORDON, as to Addison R. Gillmore.
H. C. NUTT, F. A. TUTTLE, as to Jesse Williams and Francis R. West.
JESSE LOWE, J. A. HORBACH, as to signature of Enos Lowe.
JOHN A. PARKER, HENRY C. MORGAN, as to G. C. Monell.

UNITED STATES OF AMERICA,
District of Nebraska Territory, ss:

I, Eleazer Wakeley, associate justice of the Supreme Court, and I, Experience Estabrook, district attorney for Nebraska Terri-
65 tory, do hereby certify that the surties within named, and who have signed the foregoing bond, are responsible and sufficient to insure the payment of the entire penalty named therein.

Witness our hands and seals this 29th day of December, 1857.

[L. S] ELEAZER WAKELEY,
Associate Justice of the Supreme Court.

[L. S.] E. ESTABROOK,
Attorney for the United States for the Territory of Nebraska.

OFFICE OF THE SOLICITOR OF THE TREASURY,
January 25th, 1858.

I hereby certify that the sum named in, and [and] the sureties to this bond seem reasonable and safe to me, and are to my satisfaction.

JUNIUS HILLYER,
Solicitor of the Treasury.

UNITED STATES OF AMERICA,
TERRITORY OF NEBRASKA, *City of Omaha, ss:*

66 I, Enos Lowe, of the city of Omaha and Territory of Nebraska, depose and say that I am one of the sureties of Addison Gill-

more, receiver and depositary of public moneys at Omaha City, and that I am a house holder (or freeholder) in said Terretory; and that I am worth fifty thousand dollars over and above all just debts and legal liabilities incurred for any cause whatever.

ENOS LOWE.

Subscribed and sworn to before me this 29th day of December, 1857.

ELEAZER WAKELEY,
Associate Justice of the Supreme Court for Nebraska Territory.

U. S. OF AMERICA, *Territory of Nebraska*:

I, H. C. Anderson, clerk of the Supreme Court of Nebraska Territory, hereby certify that Hon Eleazer Wakeley, before whom the foregoing instrument was subscribed and sworn, is one of the Associate Judges of the United States Supreme Court for Nebraska Ter-
67 retory, duly commissioned and qualified according to law, and that the signature thereto is genuine.

In testimony whereof, witness my hand and the seal of said court, at Omaha City, this 29th day of December, A. D. 1867.

H. C. ANDERSON,
Clerk Supreme Court of N. T.

UNITED STATES OF AMERICA,
TERRITORY OF NEBRASKA, *City of Omaha, ss*:

I, Gilbert C. Monell of the City of Omaha, and Territory of Nebraska, depose and say, I am one of the sureties of Addison R. Gillmore, receiver and depositary of public moneys at Omaha City, and that I am a house holder (or freeholder) in said Territory, and that I am worth fifty thousand dollars over and above all just debts and legal liabilities incurred for any cause whatever.

GILBERT C. MONELL.

Subscribed and sworn to before me this 29th day of December, 1857.

ELEAZER WAKELEY,
Associate Justice of the Supreme Court of Nebraska Territory.

68

69 UNITED STATES OF AMERICA,
Territory of Nebraska:

I, H. C. Anderson, clerk of the Supreme Court of the Territory of Nebraska, hereby certify that Hon Eleazer Wakely, before whom the the foregoing instrument was subscribed and sworn, is one of the associate judges of the Supreme Court of the United States, duly commissioned and qualified according to law, and that his signature thereto is genuine.

In testimony whereof, witness my hand and the seal of said court, at Omaha City, N. T. this 29th day of Dec., 1857.

H. C. ANDERSON,
Clerk of the Supreme Court, N. T.

UNITED STATES OF AMERICA,
STATE OF IOWA, *Council Bluffs City*:

I, Jesse Williams, Jefferson county State of Iowa, depose and say, that I am one of the securities of Addison R. Gillmore, receiver and depositary of public moneys at Omaha City, and that I am a house holder in said Territory; and that I am worth fifty thousand
70 dollar over and above all just debts and legal liabilities incurred for any cause whatever.

JESSE WILLIAMS.

Sworn and subscribed before me this 5th day of December, A. D. 1857.

F. A. TUTTLE,
Notary Public.

STATE OF IOWA, *Pottawattamie County, ss*:

I, C. P. Kellogg, clerk of the District Court in and for said county and State, do hereby certify that F. A. Tuttle, whose signature appears to the above acknowledgement, and still is a notary public in and for said county and State, duly commissioned and qualified, and to all his official acts full faith and credit are due and ought to be given. I further certify that the signature of the said F. A. Tuttle to the above acknowledgement is genuine, and that said acknowledgement is certified according to the laws of the State of Iowa.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said court, at Council Bluffs City, in said
71 county, on this 24th day of December, 1857.

C. P. KELLOGG, *D. C.*

UNITED STATES OF AMERICA,
STATE OF IOWA, *City of Council Bluffs*:

I, Francis R. West, of the State of Iowa, and City of Des Moines, depose and say: that I am one of the sureties of Addison R. Gillmore, receiver and depositary of public moneys at Omaha city, and that I am a householder (or freeholder) in said State, and that I am worth fifty thousand dollars over and above all just debts and legal liabilities incurred for any cause whatever.

FRANCIS R. WEST.

Subscribed and sworn to before me this 5th day of December, 1857.
[L. S.] F. A. TUTTLE,
Notary Public.

STATE OF IOWA, *Pottawattamie, County ss:*

I, C. P. Kellogg, clerk of the District Court in and for said
72 county and State, do certify that F. A. Tuttle, whose signature appears to the above acknowledgement, was at the time of taking said acknowledgement and still is a notory public in and for said county and State, duly commissioned and qualified, and to all his official acts full faith and credit are due and ought to be given. I further certify that the signature of the said F. A. Tuttle to the above acknowledgement is genuine, and that said acknowledgement is certified according to the laws of the said State of Iowa.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said court, at Council Bluffs City, in said county, on this 24th day of December, A. D. 1857.

[L. S.] C. H. KELLOGG, *D. C.*

Attached to said Exhibit is a certificate, which is in words and figures following, to wit:

UNITED STATES OF AMERICA, TREASURY DEPARTMENT,
February 8th 1864.

73 Pursuant to the act of Congress of 22d February, 1849, I hereby certify that the annexed is a true and literal copy of the original bond and authentications on file in this department.

In witness whereof, I have hereunto set my hand and caused the seal of the Treasury Department to be affixed on the day and year first above written.

S. P. CHASE,
Secretary of the Treasury.

74

75

76

77 UNITED STATES OF AMERICA,
Treasury Department, Sep. 9th, 1865.

Pursuant to the act of Congress of 22d February, 1849, I hereby certify that the annexed are true copies of the original accounts of Addison R. Gillmore, on file in this department, and that F. E. Spinner, who certified the annexed transcript is now, and was at the time of doing so, Treasurer of the United States, and that full faith and credit are due to his official attestations.

In witness whereof I have hereunto set my hand, and caused the seal of the Treasury Department to be affixed, on the day and year first above written.

[SEAL.] HUGH McCULLOCH,
Secretary of the Treasury.

TREASURY OF THE UNITED STATES,
Washington, September 9, 1865.

I certify that the annexed are true copies of the accounts of Addison R. Gillmore, on file in this office.

F. E. SPINNER,
Treasurer U. S.

78

79 No. 1.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depository.

Dr.

To balance	12,096 31¼
	$12,096 31¼

Cr.

1858.		
March 16.	By Abaham H. Palmer, receiver Council Bluffs, Iowa, on account sales public lands	7,640 00
March 16.	By Addison R. Gillmore, receiver, Omaha, N. T., on account sales of public lands	4,456 31¼
		12,096 31¼
	By balance to meet returns	$12,096 31¼

Office of Depositary at Omaha City, N. T., March 20th, 1858.
ADDISON R. GILLMORE, *Depositary.*

80 No. 1. Due U. S. $12,096 31¼. A. R. Gillmore rec'ver and depositary. Dated Omaha City, Mar. 20th, 1858. Weekly statement of monies received and disbursed in week ending March, 20th, 1858.

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81 No. 2.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

To Balance	12,096 31¼
	$12,096 31¼

Cr.

1858.		
March 27.	By balance from report No. 1	12,096 31¼
March 27.	By balance to next report	12,096 31¼
		$12,096 31¼

Office of Depositary at Omaha City, N. T., March 27th, 1858.
ADDISON R. GILLMORE, *Depositary.*

82 No. 2. Due U. S. $12,096 31¼. A. R. Gillmore, rec'ver and depositary. Dated Omaha City, March 27, 1858. Weekly statement of monies received and disbursed in week ending Mar. 27, '58.

83 MONTHLY STATEMENT No. 1, FOR MARCH, 1858.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

March 31. To balance	12,501 02½
	$12,501 02½

CR.

1858.	
March 31. By balance from report No. 2	12,096 31½
Addison R. Gillmore, receiver, Omaha, N. T., on account sales public lands	404 7½
	12,501 02½
March 31. By balance to next report	$12,501 02½

Office of Depositary at Omaha City, N. T., March 31st, 1858.
ADDISON R. GILLMORE, *Depositary.*

84 No. 1. Due U. S. $12,096 31½. A. R. Gillmore, rec'ver and depositary. Dated Omaha, March 31st, 1858. Monthly report of monies rec'ed and disbursed in Mar. 1858.

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85 No. 3.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

April 3. To balance	17,501 02½
	$17,501 02½

CR.

1858.	
April 3. By balance from monthly report No. 1, Mar. 31, '58	12,501 02½
Abraham H. Palmer, receiver Council Bluffs, on [on] account of sales of public lands	5,000 00
	17,501 02½
April 3. By balance to next report	$17,501 02½

Office of Depositary at Omaha City, N. T., April 3d, 1858.
ADDISON R. GILLMORE, *Depositary.*

86 No. 3. Due the U. S. $17,501 02½. A. R. Gillmore, rec'ver and depositary. Dated Omaha City, April 3d, 1858. Weekly statement of monies received and disbursed in week ending April 3d, '58.

87 No. 4.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

April 10.	To balance	17,501 02½
		$17,501 02½

CR.

1858.		
April 10.	By balance from weekly report No. 3	17,501 02½
		17,501 02½
April 10.	By balance to next report	$17,501 02½

Office of Depositary at Omaha City, N. T., April 10th, 1853.
ADDISON R. GILLMORE, *Depositary.*

88 No. 4. Due U. S. $17,501 02½. A. R. Gillmore, rec'ver and depositary. Dated Omaha, April 10th, 1858. Weekly statement of monies received and disbursed in week ending April 10, 1858.

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89 No. 5.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

April 17.	To balance	17,501 02½
		$17,501 02½

CR.

1858.		
April 17.	By balance from weekly report No. 4	17,501 02½
		17,501 02½
April 17.	By balance to next report, April 24th, 1858	$17,501 02½

Office of Depositary, at Omaha City, N. T., April 17th, 1858.
ADDISON R. GILLMORE, *Depositary.*

90 No. 5. Due U. S. $17,501 02½. A. R. Gillmore, rec'ver, depositary. Dated Omaha, April 17th, 1858. Weekly statement of monies received and disbursed in week ending April 17, '58.

91 No. 6.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

April 24.	To balance	17,501 02½
		$17,501 02½

CR.

1858.		
April 24.	By balance from weekly report No. 5	17,501 02½
		17,501 02½
April 24.	By balance to next report	$17,501 02½

Office of Depositary at Omaha City, N. T., April 24th, 1858.
ADDISON R. GILLMORE, *Depositary.*

92 No. 6. Due U. S. $17,501 02½. A. R. Gillmore, rec'ver and depositary. Dated Omaha, April 24th, 1858. Weekly statement of monies received and disbursed in week ending April 24, 1858.

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93 No. 2.—MONTHLY STATEMENT FOR APRIL, 1858.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

April 26.	To d'ft. No. 5,224, pd. Augustus Hall	548 91
April 27.	To d'ft. No, 5,225, pd. Eliazur Wakeley	500 00
April 30.	To balance	19,317 55½
		$20,366 46½

CR.

1858.		
April 30.	By balance from weekly report No. 6	17,501 02½
	By am't deposited by J. C. Hutchinson, receiver, at Melan, Missouri, on ac. sales public lands	2,455 65
	By am't deposited by Addison R. Gillmore, receiver, at Omaha, N. T., on ac. sales public lands	409 78½
		20,366 46½
April 30.	By balance to next report	$19,317 55½

Office of Depositary at Omaha City, N. T., April 30th, 1858.
ADDISON R. GILLMORE, *Depositary.*

94 No. 2. Due U. S. $19,317 55½. A. R. Gillmore, receiver and depositary. Omaha, dist. Omaha, N. T., April 30, 1858. Monthly statement of monies received and disbursed in April, 1858.

95 **No. 8.**

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

May 8.	To balance	19,317 55½
		$19,317 55½

Cr.

1858.		
May 1.	Balance weekly report No. 7	19,317 55½
		19,317 55½
May 8.	By balance to next report	$19,317 55½

Office of Depositary at Omaha City, N. T., May 8th, 1855.
ADDISON R. GILLMORE, *Depositary.*

96 No. 8. Due U. S. $19,317 55. A. R. Gillmore, rec'ver and depositary. Omaha dist., Omaha, N. T., May 8, 1858. Weekly transcript of monies received and disbursed in week ending May 8, 1858.

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97 **No. 9.**

The Treasurer of the United States in account with Addison R. Gillmore U. S. Depositary.

Dr.

May	15. To Balance	28,052 01
		$28,052 01

Cr.

1858.			
May	8.	By balance from report No. 8	19,317 55
	12.	am't deposited by John S. Huston, receiver, Plattsburg, Missouri, on acc't sales public lands	8,734 46
			28,052 01
	15.	By balance to next report	$28,052 01

Office of Depositary at Omaha City, N. T., May 15, '58.
ADDISON R. GILLMORE, *Depositary.*

98 No. 9. Due U. S. $28,052 01. A. R. Gillmore, Rec'd & Depositary. Omaha dist., Omaha, N. T. May 15, 1858. Weekly transcript of monies received and disbursed in week ending May 15, 1858.

99

No. 10

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.				
May	20.	To dft. No. 5,274 pd. W. A. Richardson		625 00
	21.	6,852 A. Phelo Drake		1,264 46
	22.	To balance		32,391 53
				$34,281 99

Cr.

1858.				
May	15.	By balance from report No. 9		28,052 01
		amount deposited by Lorenzo H. Sales, Receiver, Chaereton, Iowa, on acct. sales of public lands		4,229 98
		Amount deposited by Charles B. Smith, receiver, Brownsville, N. T., on acct. sales of public lands		2,000 00
				34,281 99
May 22.		To balance to next report		$32,391 53

Office of Depositary at Omaha City, N. T., May 22d, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 10. Due U. S. $32,391 53. A. R. Gillmore, Rec'r & Depositary. Omaha dist., Omaha, N. T. May 22, 1858. Weekly transcript of moneys received and disbursed in week ending May 22, 1858.

100

No. 11.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.				
May	27.	To dft. No. 5,207, (Treas. (warrant No. 5,994) paid Experience Estabrook, U. S. Att'y		62 50
		Dft. No. 6,694, (warrant No. 6,297,) paid to E. Estabrook		477 00
	29.	Balance		28,802 03
				$39,431 53

Cr.

1858.				
May	22.	By balance from report No. 10		32,391 53
		Am't deposited by Epaphroditus Ranson, Rec'r at Fort Scot, Kansas Territory, on acct. sales of public lands		7,040 00
				39,431 53
May 29.		By balance to next report		$38,892 03

Office of Depositary at Omaha City, N. T., May 29th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 11. Due U. S. $38,892 03. A. R. Gillmore, Rec'r & Depositary. Omaha dist., Omaha, N. T. May 29, 1858. Weekly transcript of monies received and disbursed in week ending May 29, 1858.

101

No. 12.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

June 5.	To Balance	42,047 69
		$42,047 69

CR.

1858.		
May 29.	By balance from report No. 11	38,892 03
31.	Am't deposited by Abraham H. Palmer, receiver, Council Bluffs, Iowa, on acct. sales public lands	3,000 00
	Am't deposited by Addison R. Gillmore, rec'r, Omaha, N. T., on acct. sales public lands	155 66
		42,047 69
June 5.	By balance to next report	$42,047 69

Office of Depositary at Omaha City, N. T., June 5th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 12. Due U. S. $42,047 69. A. R. Gillmore, Rec'r & Depositary, Omaha dist., Omaha, N. T. June 5th, 1858. Weekly transcript of monies received and disbursed in week ending June 5th, 1858.

102

No. 13.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

June 5.	To balance	42,047 69
		$42,047 59

CR.

1858.		
June 5.	By balance from report No. 12	42,047 69
		42,047 69
June 12.	By balance to next report	$42,047 69

Office of Depositary at Omaha City, N. T., Jnne 12th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 13. Due U. S., $42,047 69. A. R. Gillmore, rec'er and depositary, Omaha dist., Omaha, N. T., June 12, 1858. Weekly transcript of monies received and disbursed in week ending June 12th, 1858.

103 **No. 14.**

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
June 19.	To balance to next report	42,047 69
		$42,047 69

CR.

1858.		
June 12.	By balance from report No. 13	42,047 69
		42,047 69
June 19.	By balance to next report	$42,047 69

Office of Depositary at Omaha City, N. T. June 19, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 14. Due U. S., $42,047 69. A. R. Gillmore, rec'r and depositary, Omaha dist., Omaha, N. T., June 9, 1758. Weekly transcript of monies rec'd and disbursed in week ending June 19th, 1858.

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104 **No. 15.**

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary

DR.

158.		
June 24.	To am't p'd def't, No. 7,063, to M. W. Reden. Warrant, No. 6,661	98 30
" 25.	To am't p'd def' t, No. 7,204, to J. W. Paddock, 6,791, w't No.	152 05
" 26.	To balance to next report	47,797 34
		$48,047 69

CR.

1858.		
June 19.	By balance from report No. 14	42,047 69
	By am't deposited by Abraham H. Palmer, received, Council Bluffs, Iowa, on account sales public lands	6,000 00
		48,047 69
June 19.	By balance to next report	$47,797 34

Office of Depositary, at Omaha City, N. T., June 26th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 15. Due U. S., $47,799 34. A. R. Gillmore, rec'er and depositary, Omaha dist., Omaha, N. T., June 26, 1858. Weekly transcript of monies received and disbursed in week ending June 26, '58.

105 No. 16.

QUARTERLY RETURN, ENDING JUNE 30TH, 1858.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
June 30.	To balance	60,411 15
		$60,411 15

CR.

1858.		
June 26.	By balance from report No. 15	47,797 34
28.	By am't deposited by Andrew B. Leach, receiver at Sioux City, Iowa, on ac. of sales public lands	646 75
	By am't deposited by Thomas Sargent, receiver at Fort Dodge, Iowa, on ac. sales pulic lands, (under old board)	8,773 70
	By am't deposited by Thomas Sargent, rec'r, Fort Dodge. on ac. sales public lands, (made under his new bond)	2,726 30
	By am't deposited by A. R. Gillmole, rec'r, Omaha, N. T., on sales public lands	467 06
		60,411 15
June 30.	By balance to next report	$60,411 15

Office of Depositary at Omaha City, N. T., June 30th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 16. Due U. S., $60,411 15. A. R. Gillmore, rec'r and depositary, Omaha dist., Omaha, N. T., June 30, 1858. Quarterly transcript of monies rec'd and disbursed in quarter ending June 30, '58.

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106 No. 1.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
July 1.	To am't p'd def't, No. 7,107, warrant No. 6,695, in favor of Chas. W. Pierce	756 47
July 1.	To am't p'd def't, No. 7,206, warrant No. 6,792, in favor of John Calhoun, Surveyor General	5,500 00
	To balance	56,184 75
		$62,441 22

CR.

1858.		
June 30.	By balance from report No. 16	60,411 15
July 1.	By deposits " E. A. Deslonde, receiver at Nebraska, on ac. sales public lands	2,030 07
		62,441 22
July 3rd.	Balance to next report	$56,184 75

Office of Depositary at Omaha City, N. T., July 3rd, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 1. Due U. S., $56,184 75. A. R. Gillmore, rec'er and depositary, Omaha dis., Omaha, N. T., July 3d, 1858. Weekly transcript of monies rec'd and disbursed in week ending July 3d, 1858.

107 No. 2.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
July 10.	To balance	58,184 75
		$58,184 75

CR.

1858.		
July 3.	By balance from report No. 1	56,184 75
July 7.	By am't deposited by Charles B. Smith, receiver, Brownville, N. T., on ac. sales public lands	2,000 00
		58,184 85
July 10.	By balance forward to next report	$58,184 75

Office of Depositary at Omaha City, N. T., July 10th, 1858.
ADDISON R. GILLMORE, *Depositary*

Weekly transcript, No. 2. Balance $58,184 75-100, July 10th, 1858.

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108 No. 3.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
July 17.	To am't p'd d'ft, No. 5,571. Wt. No. 6,464, favor of E. Wakeley, U. S. judge	500 00
July 17.	To balance	6,792 75
		68,292 75

CR.

1858.		
July 10.	By balance from report N. 2	58,184 75
13.	By deposits " James P. Donner, receiver public monies, Ogden, Kansas T., on sales public lands	1,908 00
14.	By deposits from Abr. H. Palmer, receiver of public monies at Council Bluffs, Iowa, on sales public lands	8,200,00
		68,292 75
July 17.	By balance to next report	$67,792 75

Office of Depositary at Omaha City, N. T., July 17th, 1858.
ADDISON R. GILLMORE, *Depositary.*

Addison R. Gillmore, depos'ty. Balance $67,792 75-000. Weekly transcript, July 17th, 1858.

109 No. 4.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.			
July 20.	To am't p'd d'ft, No. 5,588. Wt. No. 6,481 to E. Eastbrook, U. S. att'y		62 50
23.	To am't p'd def't, No. 7,431. Wt. 7,011 to James D. White, dep. sur		70 02
23.	To am't p'd def't, No. 7,429. Wt. 7,009 to John McPherson Bradford, de. sur		1,428 37
24.	To balance to next report		82,340 34
			$83,911 23

Cr.

1858.			
July 17.	By balance from report No. 3		67,792 75
19.	By am't from John C. Hutchinson, receiver, Milan, Mo., on acconnt sales public lands		3,946 20
22.	By am't from Charles B. Smith, rec'r Brownville, N. T., on account sales public lands		1,116 72
23.	Am't from J. S. Huston, rec'r, Plattsburg, Mó., on account sales public lands		11,055 56
			83,901 23
July 24.	Balance to next report		$82,340 34

Office of Depositary at Omaha City, N. T., July 24, 1858.

ADDISON R. GILLMORE, *Depositary.*

Weekly transcript, No. 4. Addison R. Gillmore, U. S. depositary, Omaha, N. T. Balance, $82,340 34-100, July 24th 1858.

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110 No. 5.

The Treasurer of the United States in account current with Addison R. Gilmore, U. S. Depositary.

Dr.

1858.			
July 31.	To balance		83,272 70
			$83,272 70

Cr.

1858.			
July 24.	By balance from report, No. 4		82,340 34
31.	Am't deposited by A. R. Gillmore, received Omaha, N. T., on sales public lands		932 36
			83,272 70
31.	By balance to next report		$83,272 70

Office of Depositary at Omaha City, N. T., July 31st, 1858.

ADDISON R. GILLMORE, *Depositary.*

Weekly transcript No. 5. Addison R. Gillmore, U. S. Depositary, Omaha, N. T. Balance $83,272 70. July 31st, 1858.

111 No. 6.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Aug. 7.	To balance	83,272 70
		$83,272 70

CR.

1858.		
July 31.	By balance from report, No. 5	83,272 70
		83,272 70
Aug. 7.	By balance to next report	$83,272 70

Office of Depositary at Omaha City, No. 5, August 7th, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 6. August 7th, 1858. Omaha City, Nebraska. Balance $83,272 70. Addison R. Gillmore, depositary.

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112 No. 7.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
August 14.	To am't p'd def't, No. 5,568. Warrant No. 6,461, in favor of William A. Richardson, Gov'r N. T.	625 00
	To am't p'd def't, No. 6,304. Warrant No. 557, in favor of Wm. A. Richardson, Gov'r N. T.	1,000 00
	To balance	104,147 70
		$105,772 70

CR.

1858.		
August 7.	By balance from report, No. 6	83,272 70
11.	Am't deposited by Thomas Sargent, Receiver at Fort Dodge, Iowa, on sales public lands	15,500 00
12.	By deposit from Andrew Leach, Rec'r at Sioux City, Iowa, on sales public lands	7,000 00
		105,772 70
14.	By balance to next report	$104,147 70

Office of depositary at Omaha City, N. T., August 14th, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 7. August 14th, 1858. Omaha City, Nebraska. Balance $104,147 70. Addison R. Gillmore, depositary.

113 No. 8.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Aug. 18.	To am't p'd treasury, d'f't No. 5,569. W't No. 6,462, favor of A. Hall, U. S. Judge	500 00
	To am't p'd treasury, d'f't No. 7,689. W't 7,263, favor of John Y. Clopper, Dep. Sur.	1,145 36
21.	To Balance	102,502 34
		$104,147 70

CR.

1858.		
Aug. 14.	By balance from report, No. 7	104,147 70
		104,147 70
21.	By balance to next report	$102,502 34

Office of Depositary at Omaha City, N. T., August 21st, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 8. August 21st, 1858. Omaha City, Nebraska. Balance $102,502 34. Addison R. Gillmore, depositary.

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114 No. 9.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Aug. 28.	To am't paid d'ft, No. 6,910, warrant No. 6050, in favor of Edmond A. Deslonde, Receiver and D. Ag't	$1,975 00
Aug. 28.	To am't r'd d'ft No. 6,493, warrant No. 729, in favor of John B. Motley	316 35
Aug. 28.	To balance	100,210 99
		$102,502 34

CR.

1858.		
Aug. 21.	By balance from report No. 8	102,502 34
		102,502 34
	By balance to next report	$100,210 99

Office of Depositary at Omaha City, N. T., August 28th, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 9. August 28th, 1858. Omaha City, Nebraska. Balance $100,210 99. Addison R. Gillmore, depositary.

115 No. 10.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.		
Sept, 2.	To am't p'd d'ft No. 7,683, warrant No. 7,257, in favor of John McKenney, adm'r of Wm. Barnum, dec'd	956 90
Sept. 4.	To balance	100,073 08
		$101,029 98

Cr.

1858.		
August 28.	By balance from report No. 9	100,210 99
August 31.	By am't deposited by Addison R. Gillmore, rec'er, Omaha, N. Terr., sales public lands	818 99
		101,029 98
	By balance to next report	$100,073 08

Office of Depositary, at Omaha City, N. T., Sept. 4th, 1858,
ADDISON R. GILLMORE, *Depositary.*

No. 10. Sept. 14th, 1858. Omaha City, Nebraska. Balance, $100,073 08. Addison R. Gilimore, depositary.

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116 No. 11.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.		
Sept. 11.	To am't p'd d'ft, No. 6,509, w't No. 746, in favor of Sterling J. Morton, Sec't'y of Nebraska	10,000 00
Sept. 11.	To am't p'd d'ft, No. 7,820, w't No. 7,395, in favor of Horace Everett	50 00
Sept. 11.	To balance	92,023 08
		$102,073 08

Cr.

1858.		
Sept. 4.	By balance from report No. 10	100,073 08
Sept. 8.	By deposits by Charles B. Smith, receiver at Brownville, N. T., on sales of public lands	2,000 00
		102,073 08
Sept. 11.	By balance to next report	$92,023 08

Office of Depositary, at Omaha City, N. T., September 11th, 1855.
ADDISON GILLMORE, *Depositary.*

No. 11. September 11th, 1858, Omaha City, Nebraska. Balance, $92,023 08. Addison R. Gillmore, depositary.

117

No. 12.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.		
Sept. 14.	To am't p'd d'ft, No. 7,726, warrant No. 7,298, in favor of Isaac Stuck, dep. sur	285 00
Sept. 18.	To balance	96,738 08
		$97,023 08

Cr.

1858.		
Sept. 11.	By balance from report No. 11	92,023 08
Sept. 17.	By deposit from Lorenzo H. Sales, receiver at Chariton, Iowa, on sales of pubiic lands	5,000 00
		97,023 08
Sept. 18.	By balance to next report	$96,738 08

Office of Depositary at Omaha City, N. T., September 18th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 12. September 18th, 1853. Omaha City, Nebraska. Balance, $96,738 08. Addison R. Gillmore, depositary.

118

No. 13.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.		
Sept. 20.	To am't p'd d'ft No. 7,875, warrant No. 7,449, in favor of Experience Estabrook, U. S. att'y	125 00
Sept. 20.	To am't p'd d'ft 7,756, w't No. 7,329, in favor of H. C. Anderson, clerk Supreme Court U. S.	55 00
Sept. 22.	To am't p'd d'ft No. 7,911, w't No. 7,489, in favor of John E. McMullen, dep. sur	2,014 38
Sept. 25.	To balance	94,543 70
		$96,738 08

Cr.

1858.		
Sept. 18.	By balance from report No. 12	96,738 08
		96,738 08
Sept. 25.	By balance due to next report	$94,643 70

Office of Depositary at Omaha City, N. T., September 25th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 13. September 25th, 1858. Omaha City, Nebraska. Balance, $94,543 70. Addison R. Gillmore, depositary.

119 No. 14.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Sept. 28.	To am't p'd d'ft No. 7,965, w't No. 7,542, in favor of E. Dufendorf, clerk in the office of Sur. Gen	134 50
Sept. 30.	To balance	94,409 20
		$94,543 70

CR.

1858.		
Sept. 25.	By balance from report No. 13.	94,543 70
		94,543 70
Sept. 30.	By balance to next report	$94,409 20

Office of Depositary at Omaha City, N. T., September 30th, 1858.

ADDISON R. GILLMORE, *Dipositary.*

No. 14. Quart'ly report. September 30th, '58. Omaha City, Nebraska. Balance, $94,409 20. Addison R. Gillmore, depositary.

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120 No. 15.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

Oct. 2.	To balance	95,310 81
		$95,310 81

CR.

1858.		
Sept. 30.	By balance from report No. 14.	49,409 20
Oct. 2.	Deposits from Addison R. Gillmore, Receiver, Omaha, N. T., on sales of public lands	901 61
		95,310 81
Oct. 2.	By balance to next report	$95,310 81

Office of Depositary at Omaha City, N. T., October 2d, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 15. October 2nd, 1858. Omaha City, Nebraska. Balance $95,310 81. Addison R. Gillmore, depositary.

121

No. 16.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
Oct.	5.	To am't pd. dft. No. 7,949, (warrant No. 7,528,) in favor of S. H. Calhoun, office of Sur. Gen	254 95
	9.	To balance	96,055 85
			$95,310 81

CR.

Oct.	2.	By balance from Report No. 15	95,310 81
			95,310 81
	9.	Balance to next report	$95,055 85

Office of Depositary at Omaha City, N. T., October 9th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 16. October 9th, 1858. Omaha City, Nebraska. Balance $95,045 85. Addison R. Gillmore, depositary.

122

No. 17.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
October	11.	To am't pd. dft. No. 7,947, (wt. No. 7,526,) in favor of Richard Quinn, cl'k in Sur. Gen'l's office	134 00
		Am't pd. dft. No. 7,945, (wt. No. 7,524,) in favor of Michael McManners, Dep. Surveyor	89 26
	12.	Am't pd. dft. No. 278, (wt. No. 1,445) in favor of A. M. Robinson, Sup. Ind. Aff's	70,000 00
	14.	Am't pd. dft. No. 5,938. (wt. No. 5,959,) in favor of J. Sterling Morton, Sect'y of Nebraska	93 40
		Am't pd. dft. No. 5,934, (wt. No. 6,960,) in favor of J. Sterling Morton, Sect'y of Nebraska	500 00
		Am't p'd dft. No. 6,760, (w't No. 942,) favor of J. Sterling Morton, Sec'ty of Nebraska	5,000 00
	16.	Am't pd. dft. No. 7,966, (wt. No. 7,543,) favor of Edward Smith, cl'k Sur. Gen	134 50
	15.	Am't pd. dft. No. 5,937, (wt. No. 6,958,) favor of Augustus Hall, U. S. Judge	390 00
	16.	Balance	25,393 34
			$ 101.713 50

CR.

October	9.	By balance from report No. 16	95,055 85
	11.	Deposits from J. S. Huston, Receiver of public monies at Plattsburg, Mo., en sales public lands	6,657 65
			101,713 59
	16.	Balance to next report	$25,392 34

Office of Depositary at Omaha City, N. T., October 16th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 17. October 16th, 1858. Omaha City, Nebraska. Balance $25,392 34. Addison R. Gillmore, depositary.

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123 No. 18.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

Oct.	23.	To balance	33,184 84
			$33,184 84

CR.

1858.			
Oct.	16.	By balance from report No. 17	25,392 34
Oct.	20.	Amount deposited by John E. Hutchinson, receiver at Milan, Mo., on acc. sales public lands	3,292 50
Oct.	22.	By am't deposited by Abram H. Palmer, receiver at Council Bluff, Iowa, on sales of public lands	4,500 00
			33,184 84
October	23.	By balance to next report	$33,184 84

Office of Depositary at Omaha City, N. T., October 23d, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 18. October 23d, 1858. Omaha City, Nebraska. Balance $33,184 84. Addison R. Gillmore, depositary.

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124 No. 19.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
Oct.	25.	Total am't p'd df't No. 5,979 Wt., No. 7,008, in favor of Wm. A. Richardson, Gov'r of Missouri	625 00
Oct.	29.	To am't p'd df't No. 8,018, Wt. No. 7,590, in favor of John C. Pink, receiver of public monies	250 00

Oct. 30.	To am't p'd df't No. 7,932, wt. No. 7,507, in favor of Geo. C. Vanzandt, cl'k Sur. Gen'l's Office	325 00
	To balance	33,834 84
		$35,034 84

Cr.

1858.		
Oct. 23.	By balance from last report	33,184 84
Oct. 29.	By am't deposited by Andrew Leach, receiver of public monies at Sioux City, Iowa, on acc. of sales of public lands	1,850 00
		35,034 84
Oct. 30.	By balance to next report	$33,834 84

Office at Omaha City, N. T., Oct. 13th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 19. October 30th, 1858. Omaha City, Nebraska. Balance, $33,834 84. Addison R. Gillmore, depositary.

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125 No. 20.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.		
Nov. 6.	To am't to balance	34,183 64

Cr.

1858.		
Oct. 30.	By balance from last report	$33,834 84
Nov. 2.	By am't deposited by A. R. Gillmore, receiver of public monies at Omaha, Nebraska, on account of sales of public lands, as pr. rec't No. 36, November 2d, 1858	348 80
		34,183 64
Nov. 2.	By balance to next report	$34,183 64

Office at Omaha, N. T., November 6th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 20. November 6th, 1858. Omaha City, Nebraska. Balance, $34,183 64. A. R. Gillmore, depositary.

126 No. 21.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Nov. 8.	To am't p'd dr'ft No. 7,919, w't No. 7,479, $2 75; also d'ft No. 7,985, w't No. 7,556, $134 50, both in favor of Charles E. Wasmund	409 50
Nov. 13.	To am't paid d'ft No. 5,935, w't No. 6,956, in favor of Eleazur Wakely, registered Oct. 1st	500 00
Nov. 13.	To am't p'd d'ft No. 8,268, w't No. 7,786, in favor of E. Estabrook, registered Oct. 13th	127 40
Nov. 13.	To balance	33,146 74
		$34,183 64

CR.

1858.		
Oct. 6.	By balance from last report	$34,183 64
		$84,183 64
Nov. 13.	By balance to next report	$33,146 74

Office at Omaha, N. T., Nov. 13th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 21. Omaha City, Nebraska Territory. November 13th, 1858. Balance, $33,145 74. Addison R. Gillmore, depositary.

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127 No. 22.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Nov. 15.	For am't paid d'ft 7,979, w't 7,550, in favor of C. E. Tyler, cl'k Sur. Gen'l O., reg't'd Sep. 14, 1858	73 47
	For am't paid d'ft 7,981, w't 7,552, in favor of C. E. Tyler, cl'k Sur. Gen'l O., reg't'd Sep. 14, 1858	61 03
19.	For am't paid d'ft 7,406, w't 6,986, in favor of M. McManners, Dep. Sur., reg't'd June 29, 1858	2,064 63
	For am't paid d'ft 6,863, w't 6,464, in favor of C. Cooper, registered April 21st, 1858	50 00
	For am't paid d'ft 7,872, w't 7,446, in favor of W. B. Burnett, Sur. Gen'l, reg't'd Sept. 1st, 1858	600 00
	For am't paid d'ft 7,888, w't 7,467, in favor of James S. Bradford, Dep. Sur., reg't'd Sept. 3rd, 1858	575 75
	For am't paid d'ft 7,918, w't 7,496, in favor of Edward Smith, cl'k Sur. Gen'l O., reg't'd Sept. 7th, 1858	275 00
	For am't paid d'ft 7,931, w't 7,506, in favor of Wyllys C. Remson, cl'k Sur. Gen'l O., reg't'd Sep. 9, '58	325 00
	For am't paid d'ft 7,946, w't 7,525, in favor of Geo. M. Smith, cl'k Sur. Gen'l O., reg't'd Sept. 9, 1858	144 91
	For am't paid d'ft 7,943, w't 7,522, in favor of L. A. Maclean, ch'f cl'k Sur. Gen'l O., reg't'd Sept. 9, 1858	375 00
	Am't carried to next sheet	$4,544 79

CR.

1858.		
Nov. 14.	By balance from last report	33,146 74
19.	By am't deposited by E. A. Deslonde, receiver of public monies at Nebraska City, N. T., on account of sales of public lands, as per rec't No. 37	5,000 00
	Am't carried to next sheet	$38,146 74

No. 22 Omaha City, Nebraska. November 20th, 1858. Balance, $33,308 54. Addison R. Gillmore, depositary.

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128 No. 22.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Nov. 19.	To am't from preceding page	$5,044 79
Nov. 19.	To am't paid d'ft 7,982, w't 7,553, in favor of H. McMullen, cl'k Sur. Gen. O., reg't'd Sept. 14, 1858	134 50
Nov. 19.	Am't paid d'ft 7,983, w't 7,554, in favor of G. M. Smith, cl'k Sur. Gen. O. reg't'd Sept. 14, 1858	158 91
Nov. 20.	For amount to balance	33,308 54
		$38,146 70

CR.

1858.		
Nov. 19.	By balance from preceding page	$38,146 74
		$38,146 74
Nov. 20.	By balance to next report	$33,308 54

Office at Omaha city, N. T., Nov. 20th 1858.

ADDISON R. GILLMORE, *Depositary.*

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129 No. 23.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Nov. 23	For am't paid d'ft 8,272, w't 7,833, in favor of J. Y. Clopper, dep. sur., reg't'd Oct. 14th, 1858	75 31
Nov. 24.	For am't paid d'ft 7,767, w't 7,338, in favor of Jas. D. White, dep. sur., reg't'd Aug. 20th, 1858	51 78
Nov. 24.	For am't paid d'ft 7,768, w't 7,339, in favor of Jas. D. White, dep. sur., reg't'd Aug. 20th, 1858	25 17
Nov. 27.	For am't paid d'ft 6,038, w't 7,097, in favor of E. Estabrook, U. S. att'y, reg't'd Nov. 16th, 1858	62 50
	For am't to balance	33,093 78
		$33,308 54

CR.

1858		
Nov. 20.	By balance from last report	33,308 64
		33,308 54
Nov. 27.	By balance to next report	$33,093 78

Office at Omaha city, Nebraska, November 27th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 23. Omaha city, Nebraska, November 27th, 1858. Balance $33,093 78. Addison R. Gillmore, depositary.

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130 No. 24.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858		
Dec. 2.	For am't paid d'ft 6,030, w't 7,086, in favor of Sam'l W. Black, U. S. judge, reg't'd Nov. 13, 1858	500 00
Dec. 4.	To am't to balance	32,608 87
		$33,108 87

CR.

1858.		
Nov. 27th.	By balance from last report	33,093 78
Dec. 1.	By am't deposited by A. R. Gillmore, receiver of public monies, on ac. of sales of public lands, as per receipt, No. ——	15 09
		$33,108 87
Dec. 4.	By balance to next report	$32,608 87

Office at Omaha city, Nebraska, December 4th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 24. Omaha city, Nebraska, December 4th, 1858. Balance $32,608 87. Addison D. Gillmore, U. S. depositary.

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131 No. 25.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Dec. 6th.	For am't paid d'ft 7,818, w't 7,393, in favor of Tho's W. Wheatley, dep. sur., reg't'd Aug. 27th, 1858	53 43
Dec. 7th.	For am't paid d'ft 7,948, w't 7,527, in favor of E. Dufendorf, cl'k Sur. Gen'l O., reg't'd Sept. 9, 1858	275 00
Dec. 8th.	For am't paid d'ft 8,157, w't 7,722, in favor of Tho's W. Wheatley, dep. sur., reg't'd Sept. 29, 1858	1,622 61
Dec. 11th.	For am't to balance	30,657 83
		$32,608 87

CR.

1858.		
Dec. 4th.	By balance from last report	32,608 87
		32,608 87
Dec. 11th.	By balance to next report	$30,657 83

Office at Omaha, Nebraska, December 11th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 25. Omaha city, Nebraska, December 11th, 1858. Balance $30,657 83. Addison R. Gillmore, U. S. depositary.

132

No. 26.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Dec. 15.	For am't paid dr'f't 8,592 w't 8,149, in favor of C. A. Manners, dep. sm. reg'r, Nov. 22nd, 1858	2,215 75
	For am't paid drf't 7,930, w't 7,510, in favor of Jacob R. Starr, dep. sur., reg'd Sept. 9th, 1858	848 31
18.	For am't to balance	27,593 77
		$30,657 83

CR.

1858.		
Dec. 11.	By balance from last report	30,657 83
		30,657 83
Dec. 18th.	By balance to next report	$27,593 77

Office at Omaha City, Nebraska, December 18th, 1868.

ADDISON R. GILLMORE, *Depositary.*

No. 26. Omaha City, Nebraska, December 18th, 1858. Balance, $27,593 77.

ADDISON R. GILLMORE, Depositary.

133

No. 27.

DR.

1858.		
Dec. 22.	For am't paid d't 5,978, w't 7,007, in favor of Wm. A. West, U. S. marshal, reg'd Oct. 15, 1858	$43 48
Dec. 25.	For am't to balance	31,550 29
		$31,593 77

CR.

1858.			
Dec. 18.	By balance from last report		$27,593 77
" 22.	Am't deposited by S. H. Sales, receiver at Chariton, Iowa, on account of sales of public lands per receipt No, 39	4,000 00	
		31,593 77	
Feb. 31.	By balanee to next report		$31,550 29

Office at Omaha City, N. T., December 25th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 27. Omaha City, Nebraska, December 25th, 1858. Balance, $31,550 29. Addison R. Gillmore, U. S. depositary.

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134 **No. 28.**

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

1858.		
Dec. 27.	For am't p'd d'ft 8,691 w't 8,254, in favor of W. B. Burnett, Sur. Gen'l, reg't'd Dec. 6th. 1858	$500 00
Dec. 28.	For am't p'd d'ft 8,174, w't 7,744, in favor of W. A. West, U. S. marshal, reg't Oct. 1st, 1858	2,463 00
Dec. 31.	For am't to balance	28,786 65
		$31,749 65

CR.

1858.		
Dec. 25.	By balance from last report	31,550 29
Dec. 31.	By am't deposited by A. R. Gillmore, rec'ver, of Omaha dist., N. T., on account of sales of public lands, as per receipt No. 40	199 36
		$31,749 65
By balance to next report		$28,785 65

Office at Omaha, Dec. 31, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 28. Omaha City, Nebraska, December 31st, 1858. Balance $28,786 65. Addison R. Gillmore, U. S. depositary.

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135 **No. 1. 1859.**

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

1858.		
December 31.	By balance from last report	$28,786 65
		28,786 65

CR.

1859.		
Jan'y 8th.	By balance to next report	$28,786 65

Office at Omaha, Nebraska, January 8, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 1, 1859. Omaha City, Nebraska, January 8, 1859. Balance, $28,789 65. Addison R. Gillmore, U. S. depositary.

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136 No. 2.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.		
Jan'y 10.	For am't p'd dr'ft 8,775, w't 8,301, M. V. Broughton	40 75
	For am't p'd d'ft 8,800, w't 8,356, Wyllis C. Ransom	474 10
	For am't p'd d'ft 8,773, w't 8,339, A. Gerhard	133 50
Jan'y 12.	For am't p'd d'ft 6,317, w't 7,429, J. S. Morton	500 00
Jan'y 13.	For am't p'd d'ft 6,319, w't 7,431, A. Hall	500 00
Jan't 14.	For am't p'd dr'ft 6,320, w't 7,432, E. Wakeley	500 00
Jan'y 15,	For am't to balance	28,538 30
		$30,686 65

CR.

1859.		
Jan'y 8.	By balance from last report	28,786 65
Jan'y 10.	By am't deposited by A. H. Palmer, rec'er, at Council Bluffs, Iowa, on account of fees rec'd on location of l'd w'ts ac't of Mar. 3d, 1855, under his bond dated May 21, 1857, as per receipt No. 41	900 00
	By am't deposited by A. H. Palmer, rec'r, at Council Bluffs, Iowa, on account of fees rec'd on location of l'd w'ts, act of Mar. 3d, 1855, under his bond dated April 8th, 1858, as per receipt No. 42	1,000 00
		$30,686 65
Jan'y 15.	By balance to next report	$28,538 30

Office at Omaha, Nebraska, January 15, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 2, 1859. Omaha, Nebraska, January 15th, 1859. Balance $28,538 30. Addison R. Gillmore, U. S. depositary.

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137 No. 3.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.		
Jan'y 18.	For am't p'd d'ft 6,318, w't 7,430, S. W. Black	500 00
22.	For am't to balance	28,038 30
		$28,538 30

CR.

1859.		
Jan'y 15.	By balance from last report	$28,538 30
Jan'y 22.	By balance to next report	$28,038 30

Office at Omaha, Nebraska, January 22, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 3, 1859. Omaha, Nebraska, January 22, 1859. Balance, $28,038 30. Addison R. Gillmore, U. S. depositary.

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138 No. 4.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

CR.

1859.		
Jan'y 22.	By balance from last report	28,038 30
		$28,038 30
Jan'y 29.	By balance to next report	$28,038 30

Office at Omaha, Nebraska, January 29, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 4, 1859. Omaha, Nebraska, January 29, 1859. Balance $28,038 30. Addison R. Gillmore, U. S. depositary.

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139 No. 5.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.		
Jan'y 31.	For am't p'd d'ft 6,745, w't 5,912, Alex. E. Drake	$250 00
Feb. 2.	For am't p'd d't 8,911, w't 8,468, Charles Turner	96 00
Feb. 2.	For am't p'd d'ft 7,374, w't 1,522, J. Sterling Morton	5,000 00
Feb. 3.	For am't p'd d'ft 6,384, w't 7,512, Wm. A. West	50 00
Feb. 4.	For am't p'd d't 6,379, w't 7,507, Experience Estabrook	62 50
Feb. 5.	For am't to balance	$12,579 80
		$28,038 30

CR.

1859.		
Jan'y 29.	By balance from last report	28,038 30
		$28,038 30
Feb'y 5.	By balance to next report	$22,579 80

Office at Omaha, Nebraska, February 5, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 5, 1859. Omaha, Nebraska, February 5, 1859. Balance $22,579 80. Addison R. Gillmore, U. S. depositary.

140 No. 6.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.				
Feb'y 7.	For am't p'd d'ft, 7,819, w't 7,394, Frederick Hawne			61 15
8.	Do	do	8,896, w't 8,455, Simeon H. Calhoun	30 00
	Do	do	8,593, w't 8,150, C. A. Manners	529 92
	Do	do	8,594, w't 8,151, C. A. Manners	431 38
	Do	do	9,076, w't 8,627, C. L. Salisbury	100 00
9.	Do	do	9,014, w't 8,566, C. Turner	2,038 10
12.	Am't to balance			25,665 62
				$28,856 17

CR.

1859.		
Feb'y 5.	By balance from last report	22,579 80
12.	Am't deposited under protest, as stated in special account herewith transmitted by A. R. Gillmore, rec'er, at Omaha, N. T., being his half of fees received from Feb. 2d, 1857, to Jan'y 9, 1858, inclusive, on locations of land warrants, act of 1855, as per receipt, No. 43	4,214 23
	By am't deposited by A. R. Gillmore, rec'er, at Omaha, N. T., being the am't of fees rec'd by him from Feb. 2d, 1857, to Jan. 9, 1858, inclusive, on locations of land w'ts, acts of 1847 and 1850, as per receipt, No. 44	207 32
	By am't deposited by A. R. Gillmore, rec'r, at Omaha, N. T., being the am't of fees rec'd from Jan'y 10, 1858, to Jan'y 31, 1859, inclusive, on locations of l'd w'ts, acts of 1847 and 1850 and 1855, as per reeeipt, No. 45	1,854 82
		$28,856 17
Feb'y 19.	By balance to next report	$25,665 62

Office at Omaha, N. T., February 12th, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 6, 1859. Omaha, Nebraska, February 12th, 1859. Balance, $25,665 62. Addison R. Gillmore, depositary.

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141 No. 7.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

Feb'y 15.	For am't p'd d'ft, 8,902, w't 8,460, Geo. W. Smith			30 60
	Do	do	8,903, w't 8,461, W. C. Ransom	30 00
	Do	do	8,905, w't 8,463, N. B. Brooks	30 00
	Do	do	8,906, w't 8,464, E. Smith	30 00
	Do	do	8,907, w't 8,465, James Comerford	30 00
	Do	do	8,980, w't 8,533, C. Forrys	178 69

Feb'y 15.	For am't p'd d'ft,	8,982, w't 8,534, James Comerford		178 69
	Do do	8,897, w't 8,456, Geo. C. Vanzandt		30 00
	Do do	8,908, w't 8,466, Charles Forrys		30 00
	Do do	9,012, w't 8,564, P. W. Wheatley		529 20
	Do do	9,013, w't 8,565, P. W. Wheatley		82 00
	Do do	9,056, w't 8,608, G. M. Smith		275 00
	Do do	9,058, w't 8,610, E. Smith		275 00
	Do do	9,063, w't 8,616, C. W. Pierce		528 74
	Do do	9,064, w't 8,617, James L. Bradford		796 25
	Do do	9,073, w't 8,644, J. E. McMullen		1,141 16
	Do do	9,082, w't 8,635, S. S. Crowe		375 00
	Do do	9,092, w't 8,643, C. W. Pierce		216 00
	Do do	9,116, w't 8,663, E. E. Mason		275 00
	Do do	9,213, w't 8,762, Samuel Parsons		1,937 47
	Do do	9,001, w't 8,551, C. Turner		529 80
	Do do	9,203, w't 8,753, Jas. S. Bradford		784 00
	Do do	9,206, w't 8,715, W. B. Bennett		625 00
				$16,728 62
	Am't to balance			25,665 62

CR.

1859.			
February 12th, 1859.	By balance from last report		25,665 62
			$25,665 62
Feb'y 19th, 1859.	By balance to next report		$16,728 62

Office at Omaha, Nebraska, February 19th, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 7. 1859. Omaha City, Nebraska, February 10th, 1859. Balance, $16,728 62. Addison R. Gillmore, U. S. depositary.

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142 No. 8.—1850.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.				
February 22d.	For am't p'd d'ft,	8,900, w't 8,457, L. A. Maclean		30 00
26th.	Do do	8,175, w't 7,745, W. A. West		2,463 00
	Am't to balance			$14,235 62
				$16,728 68

CR.

1859.			
February 19th.	By balance from last report		16,728 62
			$16,728 62
February 26th.	By balance to next report		$14,235 62

Office at Omaha City, Nebraska, February 26th, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 8, 1859. Omaha City Nebraska, February 26th, 1859. Balance, $14,235 62. Addison R. Gillmore, U. S. depositary.

143 No. 9.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.			
Mar. 5.	For am't p'd d'ft, 9,200, w't 8,748, Martin M. Reden		86 90
	Do do 9,236, w't 8,784, David Huffman		17 60
	Do do 9,925, w't 8,925, E. B. Chanden		75 00
	Am't to balance	$14,115	43
		$14,294	93

CR.

1859.			
Feb'y 26.	By balance	$14,235	62
28.	Am't deposited by A. R. Gillmore, rec'r, at Omaha, N. T., on ac. sales public lands and fees rec'd on locations of land warrants, as per receipt No. 46		59 31
1859.		14,294	03
March 5.	By balance to next report	$14,115	43

Office at Omaha, N. T., March 5, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 9, 1859. Omaha, Nebraska, March 5, 1859, Balance, $14,115 43. Addison R. Gillmore, depositary.

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144 No. 10.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.			
March 10.	For am't p'd d'ft, 8,904, w't 8,462, Henry M. McMullen		30 00
12.	Am't to balance	14,085	43
		$14,115	43

CR.

1850.			
March 5.	By balance	14,115	43
		$14,115	43
1859.			
March 12.	By balance to next report	$14,085	43

Office at Omaha, N. T.. March 12, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 10. 1859. Omaha, Nebraska, March 12, 1850. Balance, $14,085 43. Addison R. Gillmore, U. S. depositary.

145 No. 11.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1861.	To draft, 8,176, T. J., w't 7,746	2,463	
	Do 8,898, do w't 8,458	30	
	Do 9,237, do w't 8,785	7	65
	Do 9,649, do w't 9,195	50	
	Do 6,698, Q. S., w't 7,915	500	00
	Do 6,699, do w't 7,916	500	
	Do 6,700, do w't 7,917	500	00
		9,803	38
		$13,854	03
Jan'y.	To draft, 2,014, T.	592	98
	Balance	9,210	40
		$9,803	38

CR.

1859.			
March 15.	By balance	13,854	03
		$13,854	03
		$9,803	38

A. R. GILLMORE,
By G. C. MORRILL, *Attorney.*

WASHINGTON, *January 10th*, 1861.

10th Jan., 1861. Omaha City. A. R. Gillmore, Dep. U. S. 99. Filed Nov. 3d, 1865. Wm. Kellogg, jr., clerk.

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146 COPY OF THE WEEKLY ACCOUNTS OF A. R. GILLMORE, REFERRED TO IN THE BILL OF EXCEPTIONS.

No. 1.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
	To balance	12,096	31½
		$12,096	31½

CR.

March 16.	By Abraham H. Palmer, receiver, Council Bluffs, Iowa, on account sales public lands	7,640 00
	Addison R. Gillmore, receiver, Omaha, N. T., on account sales public lands	4,456 31¼
		$12,096 31¼
20.	Balance to next returns	$12,096 31¼

Office of Depositary at Omaha City, N. T., March 20th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 1. Due U. S. $12,096 31¼. A. R. Gillmore, rec'v'r & depositary. Dated Omaha City, Mar. 20th, 1858. Weekly statement of moneys received and disbursed in week ending March 20th, 1858.

147 No. 2.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
	To balance	12,096 31¼
		$12,096 31

CR.

March 27.	By balance from report No. 1	12,096 31¼
	Balance to next report	12,096 31¼
		$12,096 31¼

Office of Depositary at Omaha City, N. T., March 27th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 2. Due U. S. $12,095 31¼. A. R. Gillmore, rec'v'r & depositary. Dated Omaha City, N. T., March 27th, 1858. Weekly statement of moneys received and disbursed in week ending Mar. 27, 1858.

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148 No. 1.—MONTHLY STATEMENT FOR MARCH, 1858.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
March 31.	To balance	$12,501 02½
		12,501 02½

CR.

1858.		
March 31.	By balance from report No. 2	$12,096 31½
	Addison R. Gillmore, receiver, Omaha, N. T., on account sales of public lands	404 71½
		12,501 02½
	Balance to next report	$12,501 02½

Office of Depositary at Omaha City, N. T., March 31st, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 1. Due U. S. $12,096 31½. A. R. Gillmore, rec'v'r & depositary. Dated Omaha City, Mar. 31st, 1858. Monthly report of monies rec'v'd and disbursed in Mar., 1858.

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149 No. 3.

The Treasurer of the United States in account current with Addison R. Gillmore. U. S. Depositary.

DR.

1858.		
April 3.	To balance	$17,501 02½
		$17,501 02½

CR.

April 3.	By balance from monthly report No. 1, Mar. 31, '58	12,501 02½
	Abner H. Palmer, receiver, Council Bluffs, on account of sales of public land	5,000 00
		17,501 02½
April 3.	Balance to next report	$17,501 02½

Office of Depositary at Omaha City, N. T., April 3d, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 3. Due U. S. $17,501 02½. A. R. Gillmore, rec'v'r & depositary. Dated Omaha City, April 3d, 1858. Weekly statement of monies received and disbursed in week ending April 3d, 1858.

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150 No. 4.

The Treasurer o the United States in account current with Addison R. Gilmore, U. S. Depositary.

DR.

1858.		
April 10.	To balance	17,501 02½
		$17,501 02½

CR.

April 10. By balance from weekly report No. 3	17,501 02½
	17,501 02½
April 10. By balance to next report	$17,501 02½

Office of Depositary at Omaha City, N. T., April 10th, 1858.

ADDISON R. GILLMORE,
Depositary.

No. 4. Due U. S. $17,501 02½. A. R. Gillmore, rec'v'r & depositary. Dated Omaha April 10th, 1858. Weekly statement of monies received and disbursed in week ending April 10, 1858.

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151 No. 5.

The Treasurer of the United States in account current with Addison R. Gilmore, U. S. Depositary.

DR.

1858.	
April 17. To balance	17,501 02½
	$17,501 02½

CR.

April 17. By balance from weekly report No. 4	17,501 02½
April 24th, 1858	17,501 02½
April 17. By balance to next report	$17,501 02½

Office of Depositary at Omaha City, N. T., April 17th, 1858.

ADDISON R. GILLMORE,
Depositary.

No. 5. Due U. S. $17,501 02½. A. R. Gillmore, rec'v'r and depositary. Dated Omaha, April 17th, 1858. Weekly statement of moneys received and disbursed in week ending, April 17, '58.

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152 No. 6.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.	
April 24. To balance	17,501 02½
	$17,501 02½

CR.

April 24.	By balance from weekly report report No. 5	17,501 02½
		17,501 02½
April 24.	By balance to next report	$17,501 02½

Office of Depositary at Omaha City, N. T., April 24th, 1858.

ADDISON R. GILLMORE,
Depositary.

No. 6. Due U. S. $17,501 02½. A. R. Gillmore, rec'v'r and depositary. Dated Omaha, April 24th, 1858. Weekly statement of moneys received and disbursed in week ending April 24, 1858.

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153 No. 2.

MONTHLY STATEMENT FOR APRIL, 1858.

The Treasurer of the United States in acccount current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
April 26.	To df't No. 5224 p'd Augustus Hall		548 91
27.	do do 5225 p'd EleazerWakeley		500 00
April 30.	To balance	19,317 55½	
		$20,366 46½	

CR.

April 30.	By balance from monthly report No. 6		17,501 02½
28.	Am't deposited by J. C. Hutchinson, receiver at Millen, Missouri, on ac. sales public lands		2,455 65
30.	By am't deposited by Addison R. Gillmore, receiver at Omaha, N. T., on ac. sales public lands		409 78¾
		20,366 46½	
April 30.	By balance to next report	$19,317 55½	

Office of Depositary at Omaha City, N. T., April 30th, 1858.

ADDISON R. GILLMORE,
Depositary.

No. 2. Due U. S. $19,317 55½. A. R. Gillmore, rec'r and depositary, Omaha, dist., Omaha, N. T., April 30, 1858. Monthly statement of monies received and disbursed in April, 1858.

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154 No. 8.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary

DR.

1858.			
May 8.	To balance	19,317 55½	
		$19,117 55½	

CR.

May 1. By balance weekly report No. 7	19,317 55½
	19,317 55½
May 8. By balance to next report	$19,317 55½

Office of Depositary at Omaha City, N. T., May 8th, 1858.

ADDISON R. GILLMORE,
Depositary.

No. 8. Due U. S. $19,317 55. A. R. Gillmore, recv'r and depositary, Omaha, Dist. Omaha, N. T., May 8th, 1858. Weekly transcript of monies received and disbursed in week ending May 8, 1858.

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155 No. 9.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858. May 15. To balance	28,052 01
	$28,052 01

CR.

May 8. By balance from report No. 8	19,317 55
12. By am't deposited by Jno. S. Houston, receiver, Plattsburg, Missouri, on ac. sales public lands	8,734 46
	28,052 01
May 15. By balance to next report	$28,052 01

Office of Depositary at Omaha City, N. T., May 15th, 1858.

ADDISON R. GILLMORE,
Depositary.

No. 9. Due U. S. $28,052 01. A. R. Gillmore, receiver and depositary, Omaha Dist., Omaha, N. T., May 15, 1858. Weekly transcript of monies received and disbursed in week ending May 15, 1858.

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156 No. 10.

The Treasurer of the United States in account current with Anderson R. Gillmore, U. S. Depositary.

DR.

1858. May 20. To dr'ft No. 5,274, p'd W. A. Richardson	$625 00
May 21. To dr'ft No. 6,852, p'd A. Philo Drake	1,265 46
May 22. To balance	32,391 53
	$34,281 99

CR.

1858.		
May 15.	By balance from report No. 9	$28,052 01
May 18.	By am't deposited by Lorenzo H. Sales, receiver, Chariton, Iowa, on acc. sales public lands	4,229 98
May 22.	By am't deposited by Charles B. Smith, receiver, Brownsville, N. T., on acc. sales public lands	2,000 00
		34,281 99
May 22.	To balance to next report	$32,391 53

Office of Depositary, at Omaha City, N. T., May 22d, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 10. Due U. S. $32,391 53. A. R. Gillmore, rec'er and depositary, Omaha dist. Omeha, N. T., May 22d, 1858. Weekly transcript of monies received and disbursed in week ending May 22, 1858.

157

No. 11.

The Treasurer of United States in account current with Addison R Gillmore, U. S. Depositary.

DR.

1858.		
May 27.	To d'ft No. 5,207, Treas. warrant No. 5,994, paid Experience Estabrook, U. S. att'y	$62 50
May 27.	To d'ft 6,694, warrant No. 6,277, paid E. Estabrook	477 00
May 29.	To balance	38,892 03
		$39,431 53

CR.

1858.		
May 22.	By balance from report No. 10	$32,391 53
May 28.	To am't deposited by Epaphrodetus Ransom, rec'r at Fort Scott, Kansas Territory, on acc. sales public lands	7,040 00
		39,431 53
May 29.	By balance to next report	$38,892 03

Office of Depositary, at Omaha City, N. T., May 29th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 11. Due U. S. $38,892 03. A. R. Gillmore, rec'er and depositary, Omaha dist. Omaha, N. T., May 29, 1858. Weekly transcript of monies received and disbursed in week ending May 29, 1858.

158

No. 12.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
June 5.	To balance	$42,047 69
		$42,047 69

CR.

1858.		
May 29.	By balance from report No. 11	$38,892 03
May 31.	By am't deposited by Abraham H. Palmer, receiver, Council Bluffs, Iowa, on acc. sales public lands	3,000 00
May 31.	By am't deposited by Addison R. Gillmore, rec'r, Omaha, N. T., on acc. sales public lands	155 66
		42,047 69
June 5.	By balance to next report	$42,047 69

Office of Depositary, at Omaha City, N. T., June 5, 1858.

ADDISON R. GILLMORE, *Depositary*

No. 12. Due U. S. $42,047 69. A. R. Gillmore, rec'r and depositary, Omaha dist. Omaha, N. T., June 5th, 1858. Weekly transcript of monies rec'd and disbursed in week ending June 5, 1858.

159

No. 13.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
June 5th.	To balance	$42,047 69
		$42,047 69

CR.

1858.		
June 5th.	By balance from report No. 12	$42,047 69
		42,047 69
June 12.	By balance to next report	$42,047 69

Office of Depositary, at Omaha City, N. T., June 12th, 1858.

ADDISON R. GILLMORE, *Depositary*

o. 13. Due U. S. $42,047 69. A. R. Gillmore, rec'er and depositary, Omaha Dist Omaha. N. T., June 12, 1858. Weekly transcript of monies rec'd and disbursed in week ending June 12th, 1858.

160

No. 14.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
June 19.	To balance to next report	$42,047 69
		$42,047 69

CR.

1858.		
June 12.	By balance from report No. 13	$42,047 69
		42,047 69
June 19.	By balance to next report	$42,047 69

Office of Depositary, at Omaha City, N. T., June 19th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 14. Due U. S. $42,047 69. A. R. Gillmore, rec'er and depositary, Omaha dist. Omaha, N. T., June 19th, 1858. Weekly transcript of monies rec'd and disbursed in week ending June 19, 1858.

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161 No. 15.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
June 24.	To am't p'd d'ft No. 7,063, to M. W. Reden, warrant No. 6,661	$98 30
June 25.	To am't p'd d'ft No. 7,204, to J. W. Paddock, 6,791 w't No	152 05
June 26.	To balance to next report	47,797 34
		$48,047 69

CR.

1858.		
June 19.	By balance from report No. 14	$42,047 69
June 22.	By am't deposited by Abraham H. Palmer, receiver, Council Bluffs, Iowa, on acc. sales public lands	6,000 00
		48,047 69
June 26th.	By balance to next report	$47,797 34

Office of Depositary, at Omaha Oity, N. T., June 26th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 15. Due U. S. $47,797 34. A. R. Gillmore, rec'r and depositary, Omaha dist. Omaha, N. T., June 26th, 1858. Weekly transcript of monies received and disbursed in week ending June 26th, 1858.

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162 No. 16.—QUARTERLY RETURN, ENDING JUNE 30TH, 1858.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
June 30.	To balance	$60,411 15
		60,411 15

CR.

June 26.	By balance from Report No. 15	$47,797 34
28.	Am't deposited by Andrew B. Leech, receiver at Sioux City, Iowa, on acc't sales public lands	646 75
30.	Am't deposited by Thomas Sargent, receiver at Fort Dodge, Iowa, on acc't sales public lands, under old bond	8,773 70
	Am't deposited by Thomas Sargent, rec'er, Fort Dodge, on acc't sales public lands, made under his new bond	2,726 30
	Am't deposited by A. R. Gillmore, rec'er, Omaha, N. T., on sales public lands	467 06
June 30.	By balance to next report	60,411 15
		60,411 15

Office of Depositary at Omaha City, N. T., June 30th, 1858.
ADDISON R. GILLMORE, *Depositary*,

No. 16. Due U. S. $60,411 15. A. R. Gillmore, rec'v'r & depositary. Omaha Dist., Omaha, N. T. June 30, 1858. Quarterly transcript of monies rec'd and disbursed in quarter ending June 30, '58.

163

No. 1.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
July 1.	To am't p'd d'ft No. 7,107, (warrant No. 6, 695,) in favor of Chas. W. Pierce	756 47
	Am't p'd d'ft No. 7,206 (warrant No. 6,792,) in favor of John Calhoun, surveyor general	5,500 00
	Balance	56,184 75
		$62,441 22

CR.

June 30.	By balance from report No. 16	$60,411 15
July 1.	Deposit E. A. Deslonde, receiver at Nebraska City, on acc't sales public lands	2,030 07
		62,441 22
July 3.	By balance to next report	56,184 75

Office of Depositary at Omaha City, N. T., July 3d, 1858.
ADDISON R. GILLMORE, *Depositary*.

No. 1. Due U. S. $56,184 75. A. R. Gillmore, rec'v'r & depositary. Omaha Dist., Omaha, N. T. July 3d, 1858. Weekly transcript of monies rec'd and disbursed in week ending July 3d, 1858.

164 No. 2.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
July 10.	To balance	$58,184 75
		58,184 75

CR.

July 3.	By balance from report No. 1	$56,184 75
7.	Am't deposited by Charles B. Smite, receiver, Brownville, N. T., on acc't public lands	2,000 00
		58,184 75
10.	By balance forward to next report	58,184 75

Office of Depositary at Omaha City, N. T., July 10, 1858.
ADDISON R. GILLMORE, *Depositary.*

Weekly transcript No. 2. Balance $58,184 75. July 10th, 1858.

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165 No. 3.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
July 17.	To am't p'd d'ft No. 5,571, (w't No. 6.464,) favor of E. Wakeley, U. S. judge	$500 00
	Balance	67,792 75
		68,292 75

CR.

July 10.	By balance from report No. 2	$58,184 75
13.	Deposits from James P. Donner, Receiver public monies, Ogden, Kansas T., on sales public lands	1,908 00
14.	Deposits from Abr. H. Palmer, receiver of public monies at Council Bluffs, Iowa, on sales pub. lands	8,200 00
		68,292 75
17.	Balance to next report	67,792 75

Office of Depositary at Omaha City, N. T., July 17th, 1858.
ADDISON R. GILLMORE, *Depositary.*

Addison R. Gillmore, Depositary. Balance 67,792 75. Weekly transcript. July 17th, 1858.

166 No. 4.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.		
July 20.	To am't p'd d'ft No. 5,588 (w't No. 6,481,) to E. Estabrook, U. S. att'y	$62 50
23.	Am't p'd d'ft No. 7,431, (w't No. 7,011,) to James D. White, dep. sur	70 02
23.	Am't p'd d'ft No. 7429, (wt. 7,009,) to John McPherson Bradford, dep. sur	1,428 73
24.	To balance to next report	82,340 34
		83,901 23

Cr.

July 17.	By balance from report No. 3	$67,792 75
19.	Am't from John C. Hutchinson, receiver, Milan, Mo., on account sales public lands	3,946 20
22.	Am't from Charles B. Smith, rec'v'r, Brownville, N. T., on acc't sales public lands	1,106 72
23.	Am't from John S. Huston, rec'v'r, Plattsburg, Mo., on account sales public lands	11,055 56
		83,901 23
24.	Balance to next report	82,340 34

Office of Depositary at Omaha City, N. T. July 24th, 1858.

ADDISON R. GILLMORE, *Depositary.*

Weekly transcript No. 4. Addison R. Gillmore, U. S. Depositary, Omaha, N. T. Balance $82,246 34. July 24th, 1858.

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167 No. 5.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.		
July 31.	To balance	$83,272 70
		83,272 70

Cr.

July 28.	By balance from report No. 4	$82,340 34
31.	Am't deposited by A. R. Gillmore, receiver, Omaha, N. T., on sales public lands	932 36
		82,272 70
July 31.	Balance to next report	83,272 70

Office of Depositary at Omaha City, N. T., July 31, 1858.

ADDISON R. GILLMORE, *Depositary.*

Weekly transcript No. 5. Addison R. Gillmore, U. S. Depositary, Omaha, N. T. Balance $83,272 70. July 31st, 1858.

168 No. 6.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depository.

DR.

Aug. 7.	To balance	83,272 70
		$83,272 70

CR.

1858.		
July 31.	By balance from report No. 5	83,272 70
		83,272 70
Aug. 7.	By balance to next report	$83,272 70

Office of Depositary at Omaha City, N. T., August 7th, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 6. August 7th, 1858. Omaha City, Nebraska. Balance, $83,272 70. Addison R. Gillmore, Depositary.

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169 No. 7.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
August 14.	To am't p'd dr'ft No. 5,568, warraut No. 6,461, in favor of William A. Richardson, Gov'r N. T.	625 00
	To am't p'd d'ft No. 6,304, warrant No. 557, in favor of Wm. A. Richardson, Gov'r N. T.	1,000 00
14.	To balance	104,147 70
		$105,772 70

CR.

1858.		
Aug. 7.	By balance from report No. 6	83,272 70
11.	By am't deposited by Thomas Sargent, receiver at Fort Dodge, Iowa, on sales public lands	15,500 00
12.	By deposit from Andrew Leach, rec'r at Sioux City, Iowa, on sales public lands	7,000 00
		105,772 70
August 14.	By balance to next report	$104,147 70

Office of Depositary at Omaha City, N. T., August 14, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 7. August 14th, 1858. Omaha City, Nebraska. Balance $104,147 70. Addison R. Gillmore, Depositary.

170 No. 8.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Aug. 18.	To am't p'd treasury d'ft No. 5,569, w't No. 6,462, favor of A. Hall, U. S. judge	500 00
	To am't p'd treasury dr'ft No. 7,689, w't 7,263, favor of John Y. Clopper, dep. sur.	1,145 36
21.	To balance	102,502 34
		104,147 70

CR.

1858.		
Aug. 14.	By balance from report No. 7	104,147 70
		104,147 70
Aug. 21.	By balance to next report	$102,502 34

Office of Depositary at Omaha City, N. T., August 21st, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 8. August 21st, 1858. Omaha City, Nebraska. Balance $102,502 34. Addison R. Gillmore, depositary.

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171 No. 9.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Aug. 28.	To am't p'd d'ft No. 6,910, warrant No. 6,509, in favor Edmond A. Deslonde, receiver and ag't	1,975 00
28.	To am't p'd d'ft No. 6,493, warrant No. 729, in favor of John Motley	316 35
28.	To balance	100,210 99
		$102,502 34

CR.

1858.		
Aug. 21.	By balance from report No. 8	102,502 34
		102,502 34
Aug. 21.	By balance to next report	$100,210 99

Office of Depositary at Omaha City, N. T., August 28th, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 9. August 28th, 1858. Omaha City, Nebraska. Balance $100,210 99. Addison R. Gillmore, depositary.

172 No. 10.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
Sept. 2.	To am't p'd d'ft No. 7,683, warrant No. 7,257, in favor of John McKenny, adm'r of Wm. Barnum, dec'd		956 90
Sept. 4.	To balance		100,073 08
			$101,029 98

CR.

1858.			
Aug. 21.	By balance from report No. 9		100,210 99
31.	By am't deposited by Addison R. Gillmore, rec'r, Omaha, N. T., on sales public lands		818 99
			101,029 98
Sept. 4.	By balance to next report		$100,073 08

Office of Depositary at Omaha City, N. T., Sept. 4, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 10. Sept. 4th, 1858. Omaha City, Nebraska. Balance $100,073 08. Addison R. Gillmore, depositary.

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173 No. 11.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
Sept. 11.	To am't p'd d'ft No. 6,509, w't No. 746, in favor of Sterling J. Morton, Sec't'y of Nebraska		10,000 00
	To am't p'd d'ft No. 7,820, w't No. 7,395, in favor of Horace Everett		50 00
Sept. 11.	To Balance		92,023 08
			$102,073 08

CR.

1858.			
Sept. 4.	By balance from report No. 10		100,073 08
8.	By deposits Charles B. Smith, receiver at Brownville, N. T., on sales of public lands		2,000 00
			102,073 08
Sept. 11.	By balance to next report		92,023 08

Office of Depositary at Omaha City, N. T., September 11th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 11. September 11th, 1858. Omaha City, Nebraska. Balance $92,023 08. Addison R. Gillmore, depositary.

174 No. 12.

The Treasurer of the United States in account current with Addison R. Gillmore. U. S. Depositary.

DR.

1858.		
Sept. 14.	To am't p'd d'ft No. 7,726, warrant No. 7,298, in favor of Isaac Stuck, dep. sur	$235 00
Sept. 18.	To balance	96,738 08
		$97,023 08

CR.

Sept. 11th.	By balance from report No. 11	$92,023 08
Sept. 17th.	By deposit, Lorenzo H. Sales, receiver at Chariton, Iowa, on sales of public lands	5,000 00
		97,023 08
Sept. 18th.	By balance to next report	$96,738 08

Office of Depositary, at Omaha City, N. T., September 18th, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 12. September 18th, 1858. Omaha City, Nebraska. Balance $96,738 08. Addison R. Gillmore, depositary.

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175 No. 13.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Sept. 20.	To am't p'd d'ft No. 7,875, warrant No. 7,449, in favor of Experience Estabrook, U. S. att'y	$125 00
Sept. 20.	To am't p'd d'ft No. 7,756, w't No, 7,329, in favor of H. C. Anderson, Clerk Supreme Court U. S.	55 00
Sept. 22.	To am't p'd d'ft No. 7,911, w't No. 7,489, in favor of John E. McMullen, dep. sur	2,014 38
Sept. 25.	To balance	94,543 70
		$96,738 08

CR.

1858.		
Sept. 18th.	By balance from report No. 12	$96,738 08
		96,738 08
Sept. 25th.	By balance to next report	$94,543 70

Office of Depositary, at Omaha City, N. T., September 25, 1858.
ADDISON R. GILLMORE, *Depositary.*

No. 13. September 25th, 1858. Omaha city, Nebraska. Balance $94,543 70 Addison R. Gillmore, depositary.

176 No. 14.—Quarterly report.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
Sept. 28.	To am't p'd d'ft No. 7,965, w't No. 7,542, in favor of E. Dufondorf, clerk in office of sur. gen'l		$134 50
Sept. 30.	To balance		94,409 20
			$94,543 70

CR.

1858.			
Sept. 25.	By balance from report No. 13		$94,543 70
			94,543 70
Sept. 30.	By balance to next report		$94,409 20

Office of Depositary at Omaha City, N. T., September 30th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 14. Quarterly report. September 30th, 1858. Omaha City, Nebraska. Balance $94,409 20. Addison R. Gillmore, depositary.

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177 No. 15.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
Oct. 2.	To balance		$95,310 81
			$95,310 81

CR.

1858.			
Sept. 30.	To balance from report No. 14		$94,409 20
Oct. 2.	To deposits, Addison R. Gillmore, rec'r Omaha, N. T., on sales public lands		901 61
			$95,310 81
Oct. 2.	By balance to next report		$95,310 81

Office of Depositary at Omaha City, N. T., October 2d, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 15. October 2d, 1858. Omaha City, Nebraska. Balance $95,310 81. Addison R. Gillmore, depositary.

178 **No. 16.**

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Oct. 5.	To am't p'd d'ft No. 7,949, warrant No. 7,528, in favor of S. H. Calhoun, office of sur. gen'l	$254 96
Oct. 9.	To balance	95,055 85
		$95,310 81

CR.

1858.		
Oct. 2d.	To balance from report No. 16	$95,310 81
		$95,310 81
Oct. 9th.	By balance to next report	$95,055 85

Office of Depositary at Omaha City, N. T., October 9th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 16. October 9th, 1858. Omaha City, Nebraska. Balance $95,055 85. Addison R. Gillmore, depositary.

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179 **No. 17.**

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
October 11.	To am't p'd d'ft No. 7,947, w't No. 7,526, in favor of Richard Quinn, clerk in sur. gen'l's office	$134 00
October 11.	To am't p'd d'ft No. 7,945, w't No. 7,524, in favor of Michael McManus, dep. surveyor	89 26
October 12.	To am't p'd d'ft No. 278, w't No. 1,445, p't. in favor of A. M. Robinson, sup. Ind. affairs	70,000 00
October 14.	To am't p'd d'ft No. 5,938, w't No. 6,959, in favor of J. Sterling Morton, Secretary of Nebraska	93 40
October 14.	To am't p'd d'ft No. 5,939, w't No. 6,960, in favor of J. Sterling Morton, Secretary of Nebraska	500 00
October 14.	To am't p'd d'ft No. 6,760, w't No. 942, favor of J. Sterling Morton, Sec't'y of Nebraska	5,000 00
October 16.	To am't p'd d'ft No. 7,966, w't No. 7,543, favor of Edward Smith, clerk sur. gen'l	134 50
October 15.	To am't p'd d'ft No. 5,937, w't No. 6,958, favor of Augustus Hall, U. S. judge	370 00
October 16.	To balance	25,392 34
		101,713 50

CR.

1858.		
Oct. 9th.	By balance from report No. 16	$95,055 85
Oct. 11th.	By deposits from J. S. Huston, receiver of public monies, at Plattsburgh, Mo., on sales public lands	6,657 65
		101,713 50
October 16.	By balance to next report	$25,392 34

Office of Depositary at Omaha City, N. T., October 16th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 17. October 16th, 1858. Omaha City, Nebraska. Balance $25,392 34. Addison R. Gillmore, depositary.

180 No. 18.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

Oct. 23.	To balance	33,184 84
		$33,184 84

CR.

1858.		
Oct. 16.	By balance from report No 16	25,392 34
Oct. 20.	By am't deposited by John E. Hutchison, receiver at Milan, Mo., on ac. sales public lands	3,292 50
Oct. 22.	By am't deposited by Abraham H. Palmer, receiver at Council Bluffs, Iowa, on sales of public lands	4,500 00
		33,184 84
October 23.	By balance to next report	$33,184 84

Office of Depositary at Omaha City, N. T., October 23d, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 18. October 23d, 1858. Omaha City, Nebraska. Balance $33,184 84. Addison R. Gillmore, depositary.

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181 No. 19.

The Treasurer of the United States in account current with Addison R. Gillmore, Depositary.

DR.

1858.		
Oct. 25.	To am't p'd d'ft, No. 5,979, w't No. 7,008, in favor of Wm. A. Richardson, gov. of Nebraska	625 00
Oct. 29.	To am't p'd d'ft, No. 8,018, w't No. 7,590, in favor of John C. Pink, receiver of public monies	250 00
Oct. 30.	To am't p'd d'ft, No. 7,932, w't No. 7,507, in favor of Geo. C. Vanzandt, cl'k sur. gen's office	325 00
		33,834 84
	To balance	$35,034 84

CR.

1858.		
Oct. 23.	By balance from last report	33,184 84
Oct. 29.	Am't deposited by Andrew Leach, receiver of public monies at Sioux City, Iowa, on ac. of sales of public lands	1,850 00
		35,034 84
Oct. 30.	By balance to next report	$33,834 84

Office at Omaha City, N. T., Oct. 30th, 1858.

ADDISON R. GILLMORE, *Depositary:*

No. 19. October 30th, 1858. Omaha City, Nebraska. Balance $33,834 84. Addison R. Gillmore, depositary.

182. No. 20.

The Treasurer of the United States in account current with Addison R Gillmore, U. S. Depositary.

DR.

1858.		
Oct. 6.	To am't to balance	34,183 64

CR.

1858.		
Oct. 30.	By balance from last report	33,834 84
Nov. 2.	By am't deposited by A. R. Gillmore, receiver of public monies, at Omaha, Nebraska, on account of sales of public lands as p'r receipt No. 36, Nov. 2d, 1858	384 80
		34,183 64
Nov. 2.	By balance to next report	$34,183 64

Office at Omaha, N. T., November 6th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 20. November 6th, 1858. Omaha City, Nebraska. Balance $34,183 64. A. R. Gillmore, depositary.

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183 No. 21.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.		
Nov. 8.	To am't p'd d'ft, No. 7,919, w't No. 7,479, $275. Also d'ft, No. 7,985, w't 7,556, $134 50, both in favor of Chas. E. Wasmund	409 50
13.	To am't p'd d'ft, No. 5,935, w't No. 6,954, in favor of Eleazer Wakeley, registered Oct. 1st	500 00
13.	To am't p'd d'ft, No. 8,268, w't No. 7,786, in favor of E. Estabrook, registered Oct. 13th	127 40
		33,146 74
Nov. 13.	To balance	$34,183 64

CR.

1858.		
Nov. 6.	By balance from last report	34,183 64
		34,183 64
Nov. 13.	By balance to next report	$33,146 74

Office at Omaha, N. T., Nov. 13th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 21. Omaha City, Nebraska Territory. November 13th, 1858. Balance $33,146 74. Addison R. Gillmore, depositary.

184 No. 22.

The Treasurer of the United States in account current with Addison R. Gillmore, Depositary.

Dr.

1858.		
Nov. 15.	For am't paid d'ft, 7,979, w't 7,550, in favor of C. E. Tyler, cl'k Sur. Genl. O., reg't'd Sept. 14, 1858	73 47
15.	For am't paid d'ft, 7,981, w't 7,552, in favor of C. E. Tyler, cl'k Sur. Gen'l O., reg't Sept. 14, 1858	61 03
19.	For am't paid d'ft, 7,406, w't 6,986, in favor of M. McManus, dep. sur., reg't'd June 29, 1858	2,064 63
	For amount p'd d'ft, 6,863, w't 6,464, in favor of C. Cooper, registered April 21st, 1858	50 00
	For am't paid d'ft, 7,872, w't 7,446, in favor of W. B. Burnett, Sur. Gen'l, reg'd Sept. 1st, 1858	600 00
	For am't paid d'ft, 7,888, w't 7,464, in favor of Jas. L. Bradford, dep. sur., reg'd Sept. 3d, 1858	575 75
	For am't paid d'ft, 7,918, w't 7,496, in favor of Edward Smith, cl'k Sur. Gen'l O., reg'd Sept. 7th, 1858	275 00
	For am't paid d'ft 7,931, w't 7,506, in favor of Wyllis C. Ransom, cl'k Sur. Gen'l O., reg'd Sept. 9, '58	325 00
	For am't paid dr'ft, 7,946, w't 7,525, in favor of Geo. M. Smith, cl'k Sur. Gen'l O., reg'd Sept. 9, 1858	144 91
	For am't paid d'ft, 7,943, w't 7,522, in favor of L. A. Maclean, ch'f cl'k Sur. Gen'l O., reg'd Sept. 9, 1858	375 00
	Am't carried to next sheet	4,544 79

Cr.

1858.		
Nov. 14.	By balance from last report	33,146 74
19.	By am't deposited by E. A. Deslonde, receiver of public monies at Nebraska, City, N. T., on account of sales of public lands, as p'r rec't No. 37	5,000 00
	Am't carried to next sheet	$38,146 74

No. 22. Omaha City, Nebraska. November 20th, 1858. Balance $33,308 54. Addison R. Gillmore, U S. depositary.

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185 No. 22.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1858.		
Nov. 19.	For am't from preceding page	4,544 79
	For am't paid d'ft, 7,982, w't 7,553, in favor of H. McMullen, cl'k Sur. Gen'l O., reg'd Sept. 14, 1858	134 50
	For am't paid d'ft, 7,983, w't 7,554, in favor of G. M. Smith, cl'k Sur. Gen'l O., reg'd Sept. 14, 1858	158 91
Nov. 20.	For amount to balance	33,308 54
		$38,146 74

CR.

1858. Nov. 19.	By balance from preceding page	38,146 74
		38,146 74
Nov 20.	By balance to next report	$33,308 54

Office at Omaha City, N. T., Nov. 20th, 1858.

ADDISON R. GILLMORE, *Depositary.*

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186 No. 23.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858. Nov. 23.	For am't p'd d'ft, 8,272, wt. 7,833, in favor of J. T. Clopper, dep. sur., reg't'd Oct. 14th, 1858	75 31
24.	For am't paid def't, 7,767, wt. 7,338, in favor of Jas. D. White, dep. sur., reg't'd Aug. 20th, 1858	51 78
	For am't paid def't, 7,768, wt. 7,339, in favor of Jas. D. White, dep. sur., reg't'd Aug. 20th, 1858	25 17
27.	For am't paid def't, 6,038, wt. 7,097, in favor of E. Estabrook, U. S. att'y, reg't'd Nov. 16th, 1858	62 50
Nov. 27.	For am't to balance	$33,093 78
		$33,308 54

CR.

1858. Nov. 20.	By balance from last report	$33,308 54
		$33,308 54
Nov. 27.	By balance to next report	$33,093 78

Office at Omaha City, Nebraska, Nov. 27th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 23. Omaha City, Nebraska, November 27th, 1858. Balance $33,093 78. Addison R. Gillmore, U. S. depositary.

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187 No. 24.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858. Dec. 2d.	For am't p'd draft, 6,030, wt. 7,086, in favor of Sam'l W. Black, U. S. judge, reg't'd Nov. 13, 1858	500 00
Dec. 4th.	For am't to balance	$33,608 87
		$33,108 87

CR.

1858.		
Nov. 27th.	By balance from last report	$33,093 78
Dec. 1.	By am't deposited by A. R. Gillmore, receiver of public monies on ac. of sales of public lands, as p'r receipt No.	15 09
		$33,108 87
Dec. 4th.	By balance to next report	$32,608 87

Office at Omaha City, Nebraska, December 4th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No, 24. Omaha City, Nebraska, December, 4th, 1858. Balance, $32,608 87. Addison R. Gillmore, U. S. depositary.

188

No. 25.

The Treasurer of the United States in account current with Addisou R. Gillmore, U. S. Depositary.

DR.

1858.		
Dec. 6.	For am't p'd d'ft, 7,188, wt. 7,393, in favor of Thos. W. Wheatley, dep. sur., reg't'd Aug. 27, 1858	53 43
7.	For am't paid d'ft, 7,948, wt. 7,547, in favor of E. Diefendorf, cl'k Sur. Gen'l O., reg't'd Sep. 9, 1858	275 00
8.	For am't paid d'ft, 8,157, wt, 7,722, in favor of Thos. W. Weatley, dep. sur., reg't'd Sept. 29, 1858	1,622 61
11.	For am't to balance	30,657 83
		$32,608 87

CR.

1858.		
Dec. 4th.	By balance from last report	$32,608 87
		$32,608 87
Dec. 11th.	By balance to next report	$30,657 83

Office at Omaha, Nebraska, December 11th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 25. Omaha City, Nebraska, December 11th, 1858. Balance $30,657 83. Addison R. Gillmore, U. S. depositary.

1858.		
Dec. 15.	For am't paid dr'ft 8,592, wt. 8,149, in favor of C. A. Manners, dep. sur., reg't'd Nov. 22d, 1858	2,215 75
	For am't p'd d'ft 7,930, wt. 7,510, in favor of Jacob R. Starr, dep. sur., reg't'd Sept. 9th, 1858	848 31
18.	For am't to balance	$27,593 77
		$30,657 83

1858.		
Dec. 11th.	By balance from last report	$30,657 83
		$30,657 83
Dec. 18th.	By balance to next report	$27,593 77

Office at Omaha City, Nebraska, December 18th, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 26. Omaha City, Nebraska, December 18th, 1858. Balance $27,593 77. Addison R. Gillmore, U. S. depositary.

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190 No. 27.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary

DR.

1858.			
Dec. 22.	For am't paid d'ft 5,978, wt. 7,007, in favor of Wm. A. West, U. S. marshal, reg't'd Oct. 15, 1858		43 48
25.	For am't to balance		$31,550 29
			$31,593 77

CR.

1858.		
Dec. 18th.	By balance from last report	$27,593 77
22.	By am't deposited by S. H. Sales, receiver at Chariton, Iowa, on account of sales of public lands, as per re'pt No. 39.	4,000 00
		$31,593 77
Dec. 25th.	By balance to next report	$31,550 29

Office at Omaha City, N. T., December 25, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 27. Omaha City, Nebraska, December 26th, 1858. Balance $31,550 29. Addison R. Gillmore, U. S. depositary.

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191 No. 28

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1858.			
Dec. 27.	For am't p'd d'ft 8,691, wt. 8,254, in favor of W. B. Burnett, sur. gen'l, reg't'd Dec. 6th, 1858		500 00
28.	For am't p'd d'ft 8,174, wt. 7,744, in favor of Wm. A. West, U. S. marshal, reg't'd Oct. 1st, 1858		2,463 00
31.	For am't to balance		$28,786 65
			$31,749 65

CR.

1858.		
Dec. 25.	By balance from last report	$31,550 29
31.	By am't deposited by A. R. Gillmore, receiver of Omaha dist., N. T., on account of sales of public lands, as per receipt No. 40	199 00
		$31,749 65
Dec. 31st.	By balance to next report	$28,786 65

Office at Omaha, Dec. 31st, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 28. Omaha City, Nebraska, December 31st, 1858. Balance $28,786 65. Addison R. Gillmore, U. S. depositary.

No. 1.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

CR.

1858.		
Friday.		
Dec. 31.	By balance from last report	28,786 65
1859.		$28,786 65
Saturday.		
Jan'y 8th.	By balance to next report	$28,786 65

Office at Omaha, Nebraska, January 8, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 1. 1859. Omaha City, Nebraska, January 8, 1859. Balance, $28,786 65. Addison R. Gillmore, U. S. depositary.

193

No. 2.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.				
Jan'y 10.	For am't p'd d'ft		8,775, w't 8,341, M. A. Broughton	40 75
	Do	do	8,800, w't 8,356, Wylles C. Ransom	474 10
	Do	do	8,773, A. Gerhard	133 50
12.	Do	do	6,317, J. S. Morton	500 00
13.	Do	do	6,319, A. Hall	500 00
14.	Do	do	6,320, E. Wakely	500 00
15.	Am't to balance			$28,538 30
				$30,856 66

CR.

1859.		
January 8.	By balance from last report	$28,786 65
10.	By am't deposited by A. H. Palmer, rec'ver, at Council Bluffs, Iowa, on account of fees rec'd on location of l'd w'ts, act of Mar. 3d, 1855, under his bond dated May 21, 1857, as per receipt No. 41	900 00
	By am't deposited by A. H. Palmer, rec'ver, at Council Bluffs, Iowa, on account of fees received on location of l'd w'ts, act of Mar. 3d, 1855, under his bond dated April 8th, 1858, as per receipt No. 42	1,000 00
		$30,686 65
Saturday.		
Jan'y 15.	By balance to next report	$28,538 30

Office at Omaha, Nebraska, January 15th, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 2. 1859. Omaha, Nebraska, January 15th, 1859. Balance, $28,538 30. Addison R. Gillmore, U. S. depositary.

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194 No. 3.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.		
Jan'y 18.	For am't p'd d'ft 6,318, w't 7,430, S. W. Black	500 00
22.	For am't to balance	28,038 30
		28,538 30

CR.

1859.		
Jan'y 15.	By balance from last report	$28,538 30
		$28,538 30
Saturday.		
Jan'y 22.	By balance to next report	$28,038 30

Office at Omaha, Nebraska, January 22d, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 3. 1859. Omaha, Nebraska, January 22d, 1859. Allison R. Gillmore, U. S. depositary. Balance, $28,038 30.

Cr.

1858.		
Dec. 25.	By balance from last report	$31,550 29
31.	By am't deposited by A. R. Gillmore, receiver of Omaha dist., N. T., on account of sales of public lands, as per receipt No. 40	199 00
		$31,749 65
Dec. 31st.	By balance to next report	$28,786 65

Office at Omaha, Dec. 31st, 1858.

ADDISON R. GILLMORE, *Depositary.*

No. 28. Omaha City, Nebraska, December 31st, 1858. Balance $28,786 65. Addison R. Gillmore, U. S. depositary.

No. 1.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

Cr.

1858.		
Friday.		
Dec. 31.	By balance from last report	28,786 65
1859.		$28,786 65
Saturday.		
Jan'y 8th.	By balance to next report	$28,786 65

Office at Omaha, Nebraska, January 8, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 1. 1859. Omaha City, Nebraska, January 8, 1859. Balance, $28,786 65. Addison R. Gillmore, U. S. depositary.

193

No. 2.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1859.				
Jan'y 10.	For am't p'd d'ft		8,775, w't 8,341, M. A. Broughton	40 75
	Do	do	8,800, w't 8,356, Wylles C. Ransom	474 10
	Do	do	8,773, A. Gerhard	133 50
12.	Do	do	6,317, J. S. Morton	500 00
13.	Do	do	6,319, A. Hall	500 00
14.	Do	do	6,320, E. Wakely	500 00
15.	Am't to balance			$28,538 30
				$30,856 66

CR.

1859.		
January 8.	By balance from last report	$28,786 65
10.	By am't deposited by A. H. Palmer, rec'ver, at Council Bluffs, Iowa, on account of fees rec'd on location of l'd w'ts, act of Mar. 3d, 1855, under his bond dated May 21, 1857, as per receipt No. 41	900 00
	By am't deposited by A. H. Palmer, rec'ver, at Council Bluffs, Iowa, on account of fees received on location of l'd w'ts, act of Mar. 3d, 1855, under his bond dated April 8th, 1858, as per receipt No. 42	1,000 00
		$30,686 65
Saturday.		
Jan'y 15.	By balance to next report	$28,538 30

Office at Omaha, Nebraska, January 15th, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 2. 1859. Omaha, Nebraska, January 15th, 1859. Balance, $28,538 30. Addison R. Gillmore, U. S. depositary.

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194 No. 3.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.		
Jan'y 18.	For am't p'd d'ft 6,318, w't 7,430, S. W. Black	500 00
22.	For am't to balance	28,038 30
		28,538 30

CR.

1859.		
Jan'y 15.	By balance from last report	$28,538 30
		$28,538 30
Saturday.		
Jan'y 22.	By balance to next report	$28,038 30

Office at Omaha, Nebraska, January 22d, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 3. 1859. Omaha, Nebraska, January 22d, 1859. Allison R. Gillmore, U. S. depositary. Balance, $28,038 30.

195 No. 4.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

CR.

1859.		
Jan'y 22.	By balance from last report	$28,038 30
		$28,038 30
Saturday.		
Jan'y 29.	By balance to next report	$28,038 30

Office at Omaha, Nebraska, January 29, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 4. 1859. Omaha, Nebraska, January 29, 1859. Balance, $28,038 30. Addison R. Gillmore, U. S. depositary.

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196 No. 5.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.			
Jan'y 31.	To am't p'd d'ft 6,745, w't 5,912, Alex. E. Drake		250 00
Feb'y 2.	Do do	8,911, w't 8,468, Charles Turner	96 00
	Do do	7,374, w't 1,522, J. Sterling Morton	5,000 00
3.	Do do	6,384, w't 7,512, Wm. A. West	50 00
4.	Do do	6,379, w't 7,507, Experience Estabrook	62 50
5.	To am't to balance		$22,579 80
			$28,038 30

CR.

1859.		
Jan'y 29.	By balance from last report	$28,038 30
		$28,038 30
Saturday.		
Feb'y 5th.	By balance to last report	22,579 80

Office at Omaha, Nebraska, February 5th, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 5. 1859. Omaha, Nebraska, February 5, 1859. Balance, $22,579 80. Addison R. Gillmore, U. S. depositary.

197 No. 6.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1859.				
Feb'y 7.	For am't p'd d'ft 7,819. w't 7,394, Frederick Hawne			61 15
8.	Do	do	8,896, w't 8,455, Simeon H. Calhoun	30 00
	Do	do	8,593, w't 8,150, C. A. Manners	529 92
	Do	do	8,594, w't 8,150, C. A. Manners	431 38
	Do	do	9,076, w't 8,627, C. L. Salisbury	100 00
9.	Do	do	9,014, w't 8,566, C. Turner	2,038 10
12.	For am't to balance			25,665 62
				$28,856 17

Cr.

1859.		
Feb'y 5.	By balance from last report	22,579 80
12.	By am't deposited under protest, as stated in special account herewith transmitted by A. R. Gillmore, rec'er, at Omaha, N. T., being his half of fees received from Feb'y 2, 1857, to Jan'y 9, 1858, inclusive, on locations of land warrants, act of 1855, as per receipt No. 43	4,214 23
	By am't deposited by A. R. Gillmore, rec'er, at Omaha, N. T., being the am't of fees rec'd by him from Feb'y 2, 1857, to Jan. 9, 1858, inclusive, on locations of land w'ts, acts of 1847 and 1850, as p'r receipt No. 44	207 32
	By am't deposited by A. R. Gillmore, rec'v'r, at Omaha, N. T., being the am't of fees rec'd from Jan'y 10th, 1858, to Jan'y 31, 1859, inclusive, on locations of l'd w'ts, acts of 1847 and 1850 and 1855, as per receipt No. 45	1,854 82
		$28,856 17
Saturday.		
Feb. 12.	By balance to next report	25,665 62

Office at Omaha, N. T,, February 12, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 6. 1859. Omaha, Nebraska, February 12, 1859. Balance, $25,665 62. Addison R. Gillmore, U. S. depositary.

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198 No. 7.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1859.				
Feb'y 15.	For am't p'd d'ft 8,902, w't 8,460, Geo. W. Smith			30 00
	Do	do	8,903, w't 8,461, W. C. Ransom	30 00
	Do	do	8,905, w't 8,463, N. B. Brooks	30 00
	Do	do	8,906, w't 8,464, E. Smith	30 00
	Do	do	8,907, w't 8,465, James Comerford	30 00
	Do	do	8,980, w't 8,533, C. Torrys	178 69
	Do	do	8,982, w't 8,534, James Comerford	178 69
16.	Do	do	8,897, w't 8,456, Geo. C. Vanzandt	30 00

	Do	do	8,908, w't 8,466, Charles Torrys	30 00
	Do	do	9,012, w't 8,564, P. W. Wheatley	529 20
	Do	do	9,013, w't 8,565, P. W. Wheatley	82 00
	Do	do	9,056, w't 8,608, G. M. Smith	275 00
	Do	do	9,058, w't 8,610, E. Smith	275 00
	Do	do	8,063, w't 8,616, C. W. Pierce	528 74
	Do	do	9,064, w't 8,617, James L. Bradford	796 25
	Do	do	9,073, w't 8,644, J. E. McMullen	1,141 16
	Do	do	9,082, w't 8,635, S. S. Crowe	375 00
	Do	do	9,092, w't 8,643, C. W. Pierce	216 00
	Do	do	9,116, w't 8,663, E. E. Mason	275 00
	Do	do	9,213, w't 8,762, Samuel Marsons	1,937 47
17.	Do	do	9,001, w't 8,551, C. Turner	529 80
19.	Do	do	9,203, w't 8,753, Jas. L. Bradford	784 00
	Do	do	9,206, w't 8,715, W. B. Burnett	625 00
				$16,728 62
	To balance			25,665 62

CR.

1859.		
February 12.	By balance from last report	25,665 62
		$25,665 62
1859.		
February 19.	By balance to next report	$16,728 62

Office at Omaha, Nebraska, February 19th. 1859.

ADDISON R. GILLMORE. *Depositary.*

No. 7. 1859. Omaha City, Nebraska, February 19th, 1859. Balance, $16,728 62.
Addison R. Gillmore, U. S. depositary.

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199 No. 8.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

DR.

1859.			
February 22, 1859.	For am't p'd dr'ft 8,900, w't 8,457, L A. Macban		30 00
	Do	do 8,175, w't 7,745, W. A. West	2,463 00
	For am't to balance		$14,235 62
			$16,728

CR.

1859.		
February 19th, 1859.	By balance from last report	
		$16.728 62
February 26, 1859.	By balance to next report	$14,235 62

Office at Omaha City, Nebraska, February 26th, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 8. 1859. Omaha City, Nebraska, February 26th, 1859. Balance, $14,235 62.
Addison R. Gillmore, U. S. depositary.

200 No. 9.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1859.			
March 5.	For am't p'd dft. 9,200, wt. 8,748, Musten W. Reden		$86 90
	do do 9,236, 8,784, David Huffman		17 60
	do do 9,383, 8,925, E. B. Chandler		75 00
	Am't to balance		14,115 43
			14,294 93

Cr.

Feb'y 26.	By balance	$14,235 62
28.	Am't deposited by A. R. Gillmore, rec'r at Omaha, N. T., on acc't sales of sales public lands, and fees rec'd on location of land warrants, as per receipt No. 46	59 31
		14,294 93
March 5.	Balance to next report	14,115 43

Office at Omaha, N. T., March 5, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 9.—1859. Omaha, Nebraska, March 5th, 1859. Balance $14,115 43. Addison R. Gillmore, U. S. depositary.

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201 No. 10.—1859.

The Treasurer of the United States in account current with Addison R. Gillmore, U. S. Depositary.

Dr.

1859.			
Mar. 10.	For am't p'd d'ft 8,904, w't 8,462, Henry M. McMullen		$30 00
12.	Am't to balance		14,085 43
			14,115 43

Cr.

March 5.	By balance	$14,115 43
		14,115 43
12.	Balance to next report	14,085 43

Office at Omaha N. T., March 12, 1859.

ADDISON R. GILLMORE, *Depositary.*

No. 10.—1859. Omaha, Nebraska, March 12th, 1859. Balance $14,085 43. Addison R. Gillmore, U. S. Depositary.

202 *Cl'k's cert.*

UNITED STATES OF AMERICA, *District of Nebraska, ss:*

I, E. B. Chandler, clerk of the United States Circuit Court for the district of Nebraska, do hereby certify that the within and foregoing is a full, true, and perfect transcript of all the original papers and record entries in the aforesaid cause, wherein the United States was plaintiff and Addison R. Gillmore, Jesse Williams, Francis R. West, Enos Lowe, and Gilbert C. Monell were defendants, as the same now appears on file and of record in my office.

Witness my hand and the seal of said court, at the city of Omaha, this 31st day of October, A. D. 1867.

E. B. CHANDLER, *Clerk.*

Writ of error.

UNITED STATES OF AMERICA, *ss:*

The President of the United States to the judges of the Circuit Court of the United States for the district of Nebraska, greeting:

Because in the records and proceedings, and also in the rendition of the judgment of a plea, which is in the said Circuit Court before you, between the United States of America, plaintiffs, and Addison R. Gilbert C. Monell, and Enos Lowe, who were impleaded with Gillmore, Jesse Williams and Frank West, defendants, a manifest error hath happened, to the great damage of the United States of America, as by this complaint appears we, being willing that error, if any hath been, should be duly corrected and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given, that then, under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you may have the same at Washington on the first Monday of December next, in the said Supreme Court, to be then and there held, that the record and proceedings aforesaid being inspected,

204 the said Supreme Court may cause further to be done therein to correct that error, what of right and according to the laws and customs of the United States should be done.

Witness the honorable Salmon P. Chase, Chief Justice of the said Supreme Court, the first day of October, one thousand eight hundred and sixty-seven.

[SEAL.] E. B. CHANDLER,
Clerk of the Circuit Court of the United States for the District of Nebraska.

Citation and service.

205 UNITED STATES OF AMERICA:

To Addison R. Gillmore, Enos Lowe, Gilbert C. Monell, impleaded with Jesse Williams and Francis R. West, greeting:

You are hereby cited and admonished to be and appear at a Supreme Court of the United States, to be holden at Washington on

the first Monday of December next, pursuant to a writ of error filed in the clerk's office of the Circuit Court of the United States for the district of Nebraska, wherein the United States of America are plaintiffs and you are defendant in error, to show cause, if any there be, why the judgment in the said writ of error mentioned should not be corrected and speedy justice should not be done to the parties in that behalf.

Witness the honorable Salmon P. Chase, Chief Justice of the Supreme Court of the United States, this 30th day of September, A. D. 1867.

[SEAL.]

J. M. LOVE,
Judge Dist. Court U.S. Dist., of Iowa.

206 Received the within writ Sept. 30th, 1867, and on 22d of Oct., 1867, served same upon within named Gilbert C. Monell by leaving with him a certified copy of same; also served same upon within named Enos Lowe and Addison R. Giimore by J. M. Woolworth, attorney for said parties, accepting service for them, on Oct. 29th, 1867.

C. E. YOST,
U. S. Marshal Dist. of Neb.

Filed October 29th, 1867.

E. B. CHANDLER, *Clerk.*

In the Supreme Court of the United States.

DECEMBER TERM, 1868.

THE UNITED STATES, plaintiffs,
vs.
ADDISON R. GILMORE, ENOS LOWE, *et al.*, defendants.
No. 151.

In error to the Circuit Court of the United States for the district of Nebraska.

BRIEF OF UNITED STATES.

This is a suit against Addison R. Gilmore, formerly a designated depositary at Omaha, Nebraska, and his sureties, upon his official bond, to recover a balance of $9,210 40 claimed to be due the United States on settlement of his accounts as such depositary at the treasury, with interest thereon.

Defendants, among other things, pleaded performance, and also sundry claims for credits in favor of said Gilmore against the United States as a set-off to said balance.

In the course of the trial below several exceptions were taken, and a verdict finally rendered for plaintiffs for $17 22. Motion was thereupon made in

behalf of plaintiffs for a new trial, on the ground of misdirection by the court to the jury, which being overruled, judgment was entered for the amount of the verdict and costs, and a bill of exceptions allowed. The case has been brought here by writ of error.

Two points are relied upon for a reversal of this judgment.

1st. The court below erred in admitting the testimony of the defendant, Gilmore, to establish a claim for a credit against the United States for office rent; such claim not appearing to have been presented to the accounting officers of the treasury for their examination and by them disallowed. (Record, p. 24.)

9 Cranch, 236, 237.

6 Wheaton, 143.

10 Peters, 133.

2 Paine, C. C. R., 69.

2d. The court below erred in admitting the testimony of the same defendant to prove a similar claim against the United States for clerk hire; such claim not appearing to have been presented to the accounting officers of the treasury for their examination, and by them disallowed. (Record, p. 24, 25.)

Vide same authorities.

The defendant stated in his testimony that he "presented these claims to the accounting officers, and they were disallowed." But this does not meet the requirements of the law, (see 4th section act of March 3, 1797, 1 Stat., 512.) The fact of such presentation and disallowance must appear by a transcript from the books and proceedings of the treasury, and cannot be established by parol.

United States v. Patterson, Gilpin's Reports, p. 48.

The action of the accounting officers, in connection with accounts and claims presented for their examination, is committed to writing, and it is very fit and proper that where a question arises calling for proof of such action a transcript of their proceedings should

be required; and this is unquestionably contemplated by the statute cited above.

It is submitted that the judgment of the court below should be reversed, and the case remanded with directions for a new trial.

E. R. HOAR,
Attorney General.

J. HUBLEY ASHTON,
Ass't Att'y Gen'l.